



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 24] शिमला, शनिवार, 29 मई, 1976/8 ज्येष्ठ, 1898 [संख्या 22

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29 मई, 1976/8 ज्येष्ठ, 1898 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 10-6/73-Rev. I, dated the 18th/21st May, 1976.	Revenue Department	Amendments in the Himachal Pradesh Tenancy and Land Reforms Rules, 1975.
No. 3-9/60 DP. (Apptt.), dated the 12th/14th May, 1976.	Personnel (A-I) Department	Obituary Notification.
No. 1-17/70-LSG-II., dated the 22nd May, 1976.	Local Self Government Department	Amendment to the Building Bye-laws made by the Simla Municipal Corporation.
No. 11-6/71-Co-op. (F&S), dated the 24th May, 1976.	Food and Supplies Department	Himachal Pradesh Hoarding and Profiteering (Fourth Amendment) Order, 1976.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

**PERSONNEL (A-I) DEPARTMENT
NOTIFICATIONS**

Simla-2, the 19th March, 1976

No. 1-3/75-DP(Apptt.).—The Governor, Himachal Pradesh is pleased to order that:—

1. Shri R. K. Sharma, HPAS, Deputy Secretary (Revenue) to the Government of Himachal Pradesh, shall also function as ~~ex-officio~~ Deputy Secretary to the Government of Himachal Pradesh in the Department of M.P.P. & Power in addition to his own duties, till further orders; and
2. Shri K. C. Chauhan, HPAS, Under Secretary (Revenue) to the Government of Himachal Pradesh shall also hold charge of the post of Special Officer (Colonisation) Himachal Pradesh in addition to his own duties, till further orders.

B. D. THAPAR,
Joint Secretary.

Simla-171002, the 20th March, 1976

No. 1-10/72-Apptt.—The Governor, Himachal Pradesh, is pleased to order the confirmation of the following officers of the Indian Police Service (H.P.) as Deputy Inspectors General of Police, Himachal Pradesh in the pay scale of Rs. 2000-125/2-2250, with immediate effect.

- (1) Shri Gangbir Singh; and
- (2) Shri R. R. Verma.

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

Simla-171002, the 22nd March, 1976

No. 1-15/73-DP(Apptt.)(i).—The Governor, Himachal Pradesh, is pleased to order that Shri U.N. Sharma, I.A.S., Chief Secretary to the Government of Himachal Pradesh who was granted extension in service for six months with effect from 1-8-1975 to 29-2-1976, shall stand retired from Government service with effect from the afternoon of February 29, 1976.

2. The Governor is further pleased to order the appointment of Shri L. Hmingliana Tochohawn, I.A.S., Financial Commissioner, Himachal Pradesh as Chief Secretary to the Government of Himachal Pradesh *vice* Shri U.N. Sharma with effect from the date of his taking over as Chief Secretary i.e., March, 1976 (forenoon).

3. The notification of even number and dated the 27th February, 1976, stands superseded.

B. D. THAPAR,
Joint Secretary.

Simla-171002, the 25th March, 1976

No. 3-5/72-DP-Apptt.—The Governor, Himachal Pradesh is pleased to accord *ex-post-facto* sanction to the grant of 30 days earned leave with effect from 6th October, 1975 to the 4th November, 1975 with permission to prefix holiday falling on 5th October, 1975 in favour of Shri S. S. Parmar, I.A.S., Deputy Commissioner, Lahaul and Spiti.

2. Certified that Shri S.S. Parmar would have continued to officiate as Deputy Commissioner but for his proceeding in earned leave.

3. Certified that Shri S. S. Parmar returned to duty to the same station from which he proceeded on leave.

Simla-2, the 19th May, 1976

No. PER (A-I)-B(6)-1/76.—The Governor, Himachal Pradesh is pleased to order that Shri G. S. Chauhan, HPAS, shall function as Under Secretary to the Government of Himachal Pradesh in the Department of Vigilance to the Government of Himachal Pradesh with effect from May 10, 1976.

SUNEETA MUKHERJEE,
Deputy Secretary.

EDUCATION DEPARTMENT

NOTIFICATIONS

Simla-171002, the 20th March, 1976

No. 1-77/75-Sectt. Edu. A.—The Governor, Himachal Pradesh, is pleased to withdraw the three months notice of pre-mature retirement served on Shri S. S. Bakshi, Principal, Class I (College Cadre), Himachal Pradesh Education Department, at present on deputation with the Language and Cultural Affairs Department, Himachal Pradesh as Officer on Special Duty, *vide* this Department Order of even number, dated the 2nd January, 1976.

2. The Governor, Himachal Pradesh is further pleased to retire Shri S. S. Bakshi with effect from 31-3-1976 (after noon) after accepting three months' notice served by him on 1-1-1976.

By order,
B. B. TANDON,
Secretary (University Edu.).

(TAKNIKI SHIKSHA)

Simla-2, the 1st April, 1976

No. 2-8/72-Edu. B. II.—In exercise of the powers vested in him under section 3(1) of the Himachal Pradesh Public Moneys (Recovery of Dues) Act, 1973 (Act 22 of 1973) the Governor of Himachal Pradesh is pleased to authorise the following officers of the Takniki Shiksha Vibhag, Himachal Pradesh, to send the certificate to the Collector for recovery of dues as arrear of land revenue in respect of their department:—

1. Nideshak, Takniki Shiksha, Himachal Pradesh, Sundernagar.
2. Pradhan Acharya (Principal), Rajkiya Polytechnic, Sundernagar.
3. Pradhan Acharya (Principal) Rajkiya Polytechnic, Hamirpur.
4. Pradhan Acharya (Principal), Junior Takniki School, Kangra.

B. B. TANDON,
Sachiv (Takniki Shiksha).

Simla-2, the 19th May, 1976

No. 1-370/71-Sectt. Edu. I.—In partial modification of this Department notification of even number, dated the 4th December, 1975, the Governor, Himachal Pradesh is pleased to order that the Sub-Divisional Officer (Civil), Spiti Sub-Division, Kaza (Lahaul-Spiti Distt.) will act as District Education Officer for Spiti Sub-Division and exercise the powers of District Education Officer, within his jurisdiction.

By order,
R. C. GUPTA,
Secretary.

**FOREST DEPARTMENT
NOTIFICATIONS**

Simla-171002, the 9th March, 1976

No. 22-8/75-SF.—Whereas it appears to the Governor of Himachal Pradesh that it is desirable to provide for the better preservation and prevention of erosion in the local areas specified in the schedule below and which are affected or liable to be affected by the deboisement of forests in area, and by the action of the Chos, the Governor, of Himachal Pradesh is pleased to direct, in exercise of the powers conferred by section 3 of the Punjab Land Preservation Act, 1900, that the provisions of the said Act shall apply to the local areas specified in the schedule below and they are hereby declared to be in force in these areas accordingly.

SCHEDULE

District	Tehsil	Village
Kangra Hamirpur	Palampur Hamirpur	Whole of Lamba- graon Jagir,

P. K. MATTOO,
Secretary.

Simla-171002, the 29th March, 1976

No. 12-3/75-SF.—Whereas certain areas mentioned in the Schedule below are comprised within the limits of the local areas notified under section 3 of the Punjab Land Preservation Act, 1900 by Punjab Government notification No. 1040-Ft.(VI)-64/192, dated 6-3-1964 and whereas in respect of the said areas, the Governor of Himachal Pradesh is satisfied after due enquiry that the regulations restrictions and prohibitions hereinafter specified are necessary for the purpose of giving effect to the provisions of the said Act, the Governor of Himachal Pradesh, in exercise of the power conferred by section 5 of the said Act, is pleased to prohibit the following acts for a period of 20 years with effect from the date of the notification:—

- the cutting of trees or timber or bushwood and the lopping of trees for any purpose provided that Divisional Forest Officer, Una Forest Division, may permit:—
 - the cutting of green trees for house building and agricultural implements and of dry wood for any fuel and for marriage and death ceremonies by persons shown in the Settlement records as entitled to do so, and
 - the lopping of branches for lac and the sale of Chhal leaves to leather workers;

- The collection or removal of grass for any purpose provided that the Divisional Forest Officer, Una Forest Division may permit:—
 - the cutting or sale of ripe grass after the rainy season; and
 - the cutting or sale of green grass during the rainy season from such portion of the notified areas in which grass may have sufficiently established itself;

- The pasturing of any cattle other than sheep, goats and camels.

SCHEDULE

District: UNA Tehsil: AMB

Village	Description	Area in acres
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JOH H.B. No. 4.	Khasra Nos. 406, 408 to 412, 3018/413, 3019/413, 414, 415, 3020/416 to 3022/416, 3023/417 to 3025/417, 3026/418 to 3029/418, 419 to 426, 2847/427 hect.). to 2851/427, 428 to 436, 561, to 566, 581, 725 726 min, 3065/1404, 1405 to 1410, 2915/1411, 2916/1411, 2917/1412 2920/1412 to 2922/1412, 1627 to 1630, 1634, 1635, 1650 to 1653, 1655, 3258/1664, 3259/1664/1667, 1679, 1681 to 1684, 3080/1685 to 3984/1685, 1688, 3086/1689 to 3090/1689, 3090/1689, 3091/1689 min, 1690 to 1697.	154 acres
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DAULATPUR H.B.No. 119	Khasra Nos. 1 to 63, 79, 2652 to 2659, 331 2688 to 2767.	331 acres (133.35 hec.).
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By order,
ANANGPAL,
Secretary.

Simla-171002, the 15th May, 1976

No. 12-15/76-SF.—In pursuance of the provision of clause (b) of section 30 of the Indian Forest Act, 1927 and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to declare that the land specified in the schedule appended to Himachal Pradesh Government notification of even number, dated 27-4-76 shall be closed for regeneration for a period of 20 years with effect from the date of this notification or for such shorter period as may be found sufficient and that the rights of private persons in or over the said land shall be suspended during the said period.

By order,
ANANGPAL,
Secretary.

FOOD & SUPPLIES DEPARTMENT

ORDER

Simla-171002, the 25th May, 1976

No. FDS. A(3) 6/75.—In exercise of the powers conferred upon the Government by clause 4 of the Himachal Pradesh Guest Control Order, 1973, as amended up-to-date, the Government is pleased to order that parties, entertainments or functions to be held within the

territory of Himachal Pradesh, in honour of the delegates of the proposed All India Speaker's Conference would be exempted from the operations of Clause 3 of the Himachal Pradesh Guest Control Order, regarding restrictions on preparations, consumption and distribution of prohibited foodstuffs or regarding the restrictions on the number of persons (including the host or hosts) to be entertained in such parties, functions etc. This exemption order would be operative with effect from 27-5-1976 to 10-6-1976 and will also cover, apart from the delegates, other persons accompanying the delegates or the official/officials connected with the arrangements for such parties, entertainments or functions.

By order,
M. S. MUKHERJEE,
Secretary.

**GENERAL ADMINISTRATION DEPARTMENT
'SECTION-D'**

NOTIFICATION

Simla-171002, the 3rd March, 1976

No. 6-12/74-GAD(Pub).—The Governor of Himachal Pradesh is pleased to relieve Smt. Rama Sharma, District Public Relations Officer, Kangra at Dharamsala, of her present post with immediate effect to enable her to assume the charge of her new assignment as Manager, Public Relations in the H.P. Tourism Department Corporation in the public interest.

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

HOME DEPARTMENT

NOTIFICATION

Simla-171002, the 4th March, 1976

No. 17-12/66-Home.—With reference to his leave application, dated 15-11-1975, the Governor, Himachal Pradesh, is pleased to accord sanction to the grant of Leave Preparatory to retirement in favour of Shri B. S. Gurung Commandant Home Guards Kulu, Himachal Pradesh with immediate effect upto 30-6-1976. He will stand retired on the succeeding day i.e. 1st July, 1976 (F.N.).

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

HORTICULTURE DEPARTMENT

NOTIFICATION

Simla-171002, the 15th May, 1976

No. 16-11/75-Hort. Sectt.—On the recommendations of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint Shri Arjun Singh Rawat to Officiate as Subject Matter Specialist in the Class II (Gazetted) scale of Rs. 350-25-500-30-590/30-830-35-900 in the Horticulture Department Simla, on the terms and conditions contained in this Department memorandum of even number, dated the 22nd April, 1976, with effect from 3rd May, 1976 (forenoon), until further orders.

2. Shri Arjun Singh Rawat will be on probation for a period of 2 years with effect from 3rd, 1976.

S. M. VERMA
Avar Sachiv.

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Simla-171002, the 24th February, 1976

No. 10-6/73-SI.—In continuation of this Department notification No. 13-6/73-SI, dated the 12th June, 1975, the Governor of Himachal Pradesh is pleased to extend the tenure of the Committee constituted to advise the Government regarding fixation of Minimum Wages in the Tea Plantations vide notification referred to above, w.e.f. 9th November, 1975 to 30th April, 1976.

By order,
P. K. MATTOO,
Secretary.

**LABOUR, EMPLOYMENT AND PRINTING
DEPARTMENT**

NOTIFICATIONS

Simla-171002, the 20th March, 1976

No. 11-3/74-LEP-Shram.—In exercise of the powers vested in him under Rule 4 of the Workmen's Compensation (Occupational Diseases) Rules, 1966 framed by the Himachal Pradesh Government vide notification No. I&S-15(LAB)453/57, dated 1st September, 1966, the Governor of Himachal Pradesh is pleased to recognise the Pneumoconiosis Medical Board constituted by the Government of India, Ministry of Labour vide Order No. IH/21253, dated the 14th November, 1975 for the purposes of the aforesaid Rules with respect to the workmen employed in mines.

By order,
ANANGPAL
Secretary.

Simla-171002, the 23rd March, 1976

No. 1-79/69-SI(E).—Continuation this department notification of even number, dated 31-1-1976.

The terms and conditions of deputation as fixed by the Government of Haryana in their letter No. 3367/P&S-75/35948 and 4846/P&S-75/407, dated 5th December, 1975 and 8th January, 1976 respectively have been accepted by the Himachal Pradesh Government.

Simla-2, the 26th March, 1976

No. 5-23/72-SI(Estt).—Consequent upon his reversion from the Himachal Road Transport Corporation, Shri Dev Raj Sharma, permanent Principal of Labour, Emp. and Training Department, is hereby posted as Principal Industrial Training Institute, Shahpur with immediate effect.

ANANG PAL,
Commissioner and Secretary.

LANGUAGES AND CULTURAL AFFAIRS DEPARTMENT

OFFICE ORDER

Simla-171002, the 3rd May, 1976

No. 1-2/71-LWP (Bhasha).—The Governor, Himachal Pradesh, is pleased to allow Shri H.C. Prashar, Assistant Director, Languages and Cultural Affairs, to cross Efficiency Bar at the Stage of Rs. 980.00 in the pay scale of Rs. 700-40-980/40-1100 with effect from the 1st March, 1976 raising his pay from Rs. 980.00 to 1020.00 P. M.

By order,
R. C. GUPTA,
Secretary.

PLANNING DEPARTMENT

NOTIFICATION

Simla-171002, the 18th May, 1976

No. 9-30/72-(Plan)Estt.-II.—The Governor of Himachal Pradesh, on the recommendations of the Departmental Promotion Committee is pleased to promote the following Technical/Statistical Assistant in the Department of Economics and Statistics as District Statistical Officers/Research Officers/Statisticians, in the pay scale of Rs. 350-25-500-30-590/30-800, (Class II Gazetted):—

1. Shri D. K. Sharma
2. Shrimati Mohindra Behl
3. Shri O. N. Kaul
4. Shri R. L. Raghu
5. Shri K. R. Chandel

2. The Governor, Himachal Pradesh is further pleased to order the following posting and transfers in the public interest, with immediate effect:—

Sl. Name of the official From To No.

1. Sh. D. K. Sharma S. A. Directorate of Econ. & Statistics. Plan Formulation Cell against the vacant post of Research Officer.
2. Smt. Mohindra Behl, S. A. (on promotion). Office of the D. S. O. Mandi. As D. S. O. Kulu, vice Sh. R. L. Gupta.
3. Sh. O. N. Kaul, S. A. (on promotion). Directorate of Econ. & Statistics. As D. S. O. Sirmur, Nahan (vacant post).
4. Shri R. L. Raghu, S. A. — As D. S. O. Chamba (Vacant post).

Sl. Name of the official From To No.

5. Shri K. R. Chandel S. A. (on promotion). Office of the D. S. O. Solan. As D. S. O. Solan, vice Sh. R. L. Suri who is being sent on deputation with the S. S. B. Orgn.
6. Shri R. L. Gupta, D. S. O. Kulu As Statistician in the Directorate of Econ. & Statistics.

By order,
C. M. CHATURVEDI,
Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Whereas it appears to the Governor Himachal Pradesh that land is likely to be acquired to be taken by Government at public expense for public purpose, namely*

It is hereby notified that the land in the locality described below is likely to be acquired for the said* purpose.

This notification is made under provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the power conferred by the aforesaid Section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may, within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, H. P. PWD; Hamirpur.

*Construction of road from Una to Jaijon K.M. 5/0 to 12/0 in Una District.

No. 9-16/73-PW(B).— Simla-171002, the 12th May 1976

SPECIFICATION

District: UNA		Tehsil: UNA	
Village	Khasra No. with area in Acres		
1	2		
BADHERA	1974, 1975, 11683/1988/1, 8631/2002 8900/2007, 2008, 2009, 2011, 2041 9749/6265, 6267, 6269, 6270, 6271 6274, 8582/6278, 11172/6283, 11173 6283, 11169/6283, 6285, 6288, 6289 6293, 11301/9255/6294, 11300/6293 9383/6296, 6308/6262. Total No. 28, Area 2.39 acres.		

1	2	1	2
KANGAR	72, 74, 75, 256, 259, 260, 261, 271, 272, 273, 274, 275, 276, 277, 279, 280, 317, 318, 319, 320, 449, 451. Total No. 22 Area 2.23 Acres.		1171, 1173, 1838, 1839, 1840, 3103, 3104, 3105, 3106, 3107, 3120, 3125, 3126, 3129, 3134, 3137, 3138, 3139, 3140, 3142, 3147, 3149, 3161, 3166, 3167, 3425, 3426, 3482, 3427, 3431, 3446, 3448, 3450, 3452, 7371/3454, 3460, 3611/3461, 3612/3461, 3613/3461, 3614/3461, 3598, 3631, 3632, 3633, 3634, 3636, 7863/364, 3647, 6662/3646, 3448/1, 3648/2, 3678, 3680, 3684, 3686, 3687, 3690, 3755, 3587, 3589. Total No. 65, Area 75 Kanal, 5 Marle or 7.14 Acres. (Baliwal)
DHARAMPUR	697, 698, 699, 701, 704, 3224/705, 706, 707, 711, 752, 950, 952, 955, 975, 976, 979, 980, 3815/1011/1013, 1014, 1163, 1165, 1175. Total No. 23 Area 1.95 Acres.	KUNGRATH	1, 2, 4, 5, 6, 7, 8, 9, 231, 277. Total No. 10, Area 1 Kanal, 9 Marle or 0.14 Acres.
SAINSOWAL	1793/191, 1794/191, 192, 193, 194, 196, 2314/2011 to 213, 2314/212/213, 214, 279, 281, 2184/294 to 296, 297, 1550/298, 1833/300, 303, 304, 1903/417, 1904/417, 1905/417. Total No. 21, Area 1.47 Acres.		
RORA BALIWAL	3506, 3537, 3538, 3539, 3540, 3543, 3547, 3548, 3549, 3670, 3671, 3672, 3674, 3709, 3714, 3717, 3718, 3719, 3720, 3721, 3722, 3723, 3736, 3738, 4988/3780/1, 3735, 5489/3781, 5488/3781, 3782, 3870. Total No. 30, Area 1.77 Acres.	PUBOWAL	No. Had bast 523 3966, 4019, 4021, 4022, 4020, 4023, 4024, 4027, 4029, 4030, 4032, 4033, 4034, 4035, 9285/8392, 8493/4043, 4044, 4046, 4747, 4049, 4050, 4051, 4181, 4182, 4183, 4185, 4318, 4319, 4320, 4322, 4323, 4324, 4325, 4334, 4336, 4337, 4338, 4339, 4340, 9352/4341-42, 4343, 4344, 7720, 7724, 7726, 7738, 7740, 8357/7741, 7742, 7781, 7782, 7785, 7786, 9683/7787, 9683/7788, 9683/7790, 7794, 7795, 7796, 9552/7888, 9553/7888, 7889, 8000, 8004, 8005, 8028, 8029, 9557/8030, 8038, 8039, Total No. 70 Area 9 Kanal 18 Marle or 0.94 Acres. Grand Total 86 Kanals 12 Marlas or 8.22 Acres.
SAMNAL	208, 209, 213, 214, 219, 230, 231, 249, 258, 327, 328, 329, 330, 337, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 425, 426, 427, 428, 430, 431, 432, 433, 435, 436, 437. Total No. 43, Area 1.90 Acres.		
HAROLI	2089, 2093, 2094, 2095, 2097, 2098, 7157/2109, 2110, 2111, 2179, 2180, 2181, 2182, 2183, 2184, 2187, 2188, 8348/2925/2, 2927, 2928, 2929, 2935, 3012, 3016, 3017, 3023, 3024, 3028, 3029, 3033, 7905/3052, 7906/3052, 3055, 3056, 3094, 3102, 3103, 3115, 3118, 3120, 3171, 3172, 7915/3193, 3203, 3207, 7511/3208, 7512/3208, 7513/3208, 3210, 3211, 3213, 3214, 3215, 8267/3216, 3222, 3223, 3224, 3226, 3228, 3229, 3231, 7204/3232, 7200/3233, 7201/3233, 3235, 3237, 3258, 3259. Total No. 68, Area 5.86 Acres.		
BHADARI	342, 343, 583, 584, 585, 593, 594, 596, 597, 602, 603, 604, 605, 606, 694, 698, 703, 704, 705, 706, 711, 712, 714, 715, 716, 718, 738. Total No. 27, Area 2.24 Acres.		
PALKWAH (KANTE)	1581, 1582, 1583, 1584, 1593, 1594, 1595, 1597, 1602, 1608, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1744, 1745, 7707/1756, 1757, 1758, 1763, 1827, 1828, 1829, 1830, 1837, 1839. Total No. 29, Area 2.30 Acres. Grand Total 22.11 Acres.		
*Construction of road from Una to Jaijon Km 12/0, to 18/0 in Una District.		*Construction of road from Una to Jaijon km. 18/0 to 25/0 in Una District	
No. 9-16/73-PW(B) Simla-171002, the 12th May, 1976.		No. 9-16/73-PW(B) Simla-171002, the 15th May, 1976.	
PALKWAH	1164, 1167, 1833/1168, 1169, 1170,	PUBOWAL	4345, 4346, 5900, 5911, 9833/5912, 9834/5912, 5913, 5914, 5915, 5920, 5921, 5924, 5925, 5926, 5953, 5955/1, 5955/2, 8790/5958, 5959, 8795/5961, 5963, 8794/5961, 5973, 5974, 5981, 5985, 5986, 5987, 5989, 5995, 5996, 5997, 5998, 6067, 6068, 6070, 6072, 6075, 6076, 6128, 6138, 6139, 6140, 6147, 6148, 6149, 6150, 6151, 7262, 7263, 7164, 7265, 7277, 7278, 7279, 7298, 7299, 7301, 8867/7302, 7352, 7353, 7354, 7355, 7356, 7357, 7359, 7360, 7361, 7362, 7374, 7394, 7396, 7397, 7473, 7714, 7716, 7717, 7718, 7719, 7720, Total Nos. 80, Area 14 Kanal 1 Marla or 1.33 Acres.
		KUTHAR	5533, 5547, 5548, 5550, 5643, 5646, 5647, 5690, Total Nos. 8, Area 1 Kanal, 14 Marla or 0.16 Acres.
		POLIAN	2856, 2865, 2866, 2867, 2868, 2869, 6318/2877, 2894, 3045, 3046, 3047, 3048, 6109/2878, 3051, 6110/3051, 3172, 6344/3173, 3174, 5793/3175,

1

2

5794/3175, 3177, 5624/3178, 3184,
3207, 3208, 3211, 3212, 3213, 3214,
3215, 3217, 5626/3221, 3225, 3226,
3227, 3228, 3229, 3234, 6348/3231-
3232, 3235, 6349/3237, 3238, 3254,
3255, 3257/1, 3166, 3268, 3270, 3276,
3277, 3278, 3390, 3392, 3397, 3398,
3399, 3401, 3402, 3403, 3404, 3415,
3836, 3838, 3839, 3844, 3850, 3851,
3859, 3860, 3867, 6172/3869, 6173/
3869, 4978, 4980, 4981, 4983, 4984,
4986, 5077, 5083, 5094, 5381, 5383,
5385, 5386, 5388, 5389, 5391, 5395,
5397, 5402, 5405, 5407, 5408, 5409,
5410, 5412, 5419, 5420, 5423, 5428,
5429, 5434, 5436, 5437, 5439, 5441,
5447, 5449, 5452, 5453, 5454, Total
Nos. 109, Area 43 Kanal, 1 Marla or
4.08 Acres.
Grand Total.. 5.57 Acres.

By order,
GANGESH MISRA,
Commissioner-cum-Secretary.

REVENUE DEPARTMENT NOTIFICATION

Simla-171002, the 15th May, 1976

No. 13-6/69-Rev. Cell.—The Governor, Himachal Pradesh is pleased to extend for one year more from 22-3-76 to 21-3-77 the tenure of the "Beas Sutlej Link Project Oustees" Rehabilitation Advisory Committee constituted *vide* this Government notification of even numbers, dated 22nd March, 1973 and 23rd June, 1973 on the existing terms and conditions.

2. The terms and conditions regarding payment of Travelling Allowance/Dearness Allowance have already been circulated *vide* this Department notification of even number, dated the 30th September, 1975.

3. The Governor, Himachal Pradesh is further pleased to make the addition of one more member in the list of Members as under:—

"6 The President, Municipal Committee, Sundernagar (Mandi district).

4. The existing Serial numbers from 6—9 may be renumbered accordingly.

5. Concurrence of the Finance Department has been obtained *vide* their U. O. No. 1012/11/37/76-Fin.(Reg.) dated 28-4-76.

By order,
P. K. MATTOO,
Secretary.

RURAL INTEGRATED DEVELOPMENT DEPARTMENT NOTIFICATION

Simla-4, the 23rd March, 1976

No. 1-54/75-E(DEV.).—The Governor, Himachal Pradesh, on the recommendations of the Departmental

Promotion Committee and in consultation with the H.P. Public Service Commission, is pleased to order promotion of Shri Prabhu Ram Modgil, Social Education Organiser to the post of Block Development Officer, Class II Gazetted in the pay scale of Rs. 350-25-500-30-590/30-800, on regular basis, with immediate effect and to post him as such in the Development Block Shillai against a vacant post of Block Development Officer.

2. His *inter se* seniority *vis-a-vis* other Block Development Officers will be decided later.

3. Shri P.R. Modgil, will be on probation for a period of two years from the date of his joining as Block Development Officer.

B. K. SHARMA,
Secretary.

TRANSPORT DEPARTMENT

NOTIFICATIONS

Simla-171002, the 7th January, 1976

No. 4-11/69-Tpt.—Whereas the Governor of Himachal Pradesh is of the view that it is expedient so to do.

Now, therefore, in exercise of the powers conferred upon him by section 44 of the Motor Vehicles Act, 1939 (Act IV of 1939) and all other powers enabling him in this behalf, and in supersession of this Government notification of even number, dated 8th April, 1975, he (the Governor of Himachal Pradesh) is pleased to constitute with immediate effect one member Regional Transport Authority, Simla for Simla, Sirmur, Solan, Kinnaur, Bilaspur, Mandi, Kulu and Lahul Spiti Districts, comprising of the Divisional Commissioner, Himachal Pradesh to exercise and discharge throughout the aforesaid districts the powers and functions conferred on such Authority by or under the provisions of the said Act.

Simla-171002, the 16th February, 1976

No. 22-5/70-Tpt.—Whereas a draft of proposed directions under section 43 (1) of Motor Vehicles Act, 1939, inviting objections/suggestions from all persons likely to be affected by such directions was published in the Himachal Pradesh Rajpatra, dated the 27th December, 1975, *vide* notification of even number, dated the 9th December, 1975.

2. And whereas no objections/suggestions whatsoever have been received;

3. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act No. 4 of 1939), and all other powers enabling him in this behalf and in supersession of all other notifications issued in this behalf, the Governor of Himachal Pradesh, is pleased to issue to the State Transport Authority of Himachal Pradesh, the following directions regarding the fixation of fare rates in respect of contract carriages such as 4 to 6 seater taxis, cabs, station

wagons and Jeeps (except mini-buses) in Himachal Pradesh:—

DIRECTIONS

The State Transport Authority, Himachal Pradesh, shall ensure that the following fare rates in respect of contract carriage such as 4 to 6 seater taxis, cabs, station wagons and Jeeps (except mini-buses) are fixed in the State:—

Contract carriage rates including Passenger Tax per kilometer.			
4 seater cabs.	5 seater cabs.	6 seater cabs.	

(1) *One side booking:*

	Rs.	Rs.	Rs.
(i) Simla-Kalka route	0.90	1.10	1.30
(ii) All other routes in Himachal Pradesh except Simla-Kalka route.	1.00	1.25	1.50

(2) *Both side Booking:*

75% of the rates proposed for each category as per one side booking.

(3) *Rates on daily Basis:*

Rs. 75% per day plus petrol charges on the condition that coverage in a day should not exceed 80 kilometers and the vehicle shall operate within a radius of 32 kilometers from the place of booking.

(4) *Free Luggage:*

15 kilograms luggage per passenger shall be allowed to be carried free of charge in each category of cabs mentioned above.

Detention Charges:

- Haltage upto the total period of 1/4th of the time actually required on the road for going and coming back will be free. For calculating this time, the ordinary sanctioned speed limit for roads concerned will be the basis of calculation of time required;
- any haltage above this period will be charged for at the rate of Re. 1/- per half an hour or part thereof in case of cabs (cars, jeeps, station wagons); and
- in case of cabs taken on daily rates, on additional haltage charges will be levied.

Simla-171002, the 17th May, 1976

No. 22-3/69-Tpt. Vol. II.—In exercise of the powers conferred by sub-section (1) of section 43 of the Motor Vehicles Act, 1939, and all the powers enabling him in this behalf, and in continuation of this Department Notification of even number dated the 30th October, 1975, the Governor, Himachal Pradesh proposes to issue to the State Transport Authority Himachal Pradesh, the following directions regarding the addition of clauses in the fixation of maximum freight rates in Himachal Pradesh and publish the same, as required by the proviso of the aforesaid sub-section for the information of the persons likely to be affected thereby. Notice is hereby given that the draft proposal will be taken into consideration by the Government on or after the expiry of one month from its publication in the Rajptra Himachal Pradesh together with any objection or suggestion, which may be received by the Secretary to the Government of Himachal Pradesh, Transport Department, in

respect of the draft before the expiry of the period so specified.

DIRECTIONS

The State Transport Authority shall ensure that the following clauses be added to the maximum rates of freights for Public carriers as fixed in the Notification of even number dated 30-10-75:—

- The minimum weight chargeable is fixed at 10 Kilograms and all goods will be charged in slabs of 10 Kilograms i.e. any fraction less than 10 Kilograms will be charged as 10 Kilograms.
- In case of power wagons supplied by the HRTC for pulling out accident/broken down vehicles or for similar purposes, the following rates will be charged:
 - Rs. 4 per km. for its entire distance run by the Power Wagon from workshops to the place of supply, and back to the workshops, along with any other distance that it might have run in connection with such relief work etc.
 - Rs. 15/ for every hour for the use of Power Wagon and its equipment.
- The following rates shall be charged for smaller and heavy trucks for distance not exceeding 5 Kilometers run for coming and going:
 - Smaller trucks upto 50 quintal capacity Rs. 20/- per trip.
 - Heavy trucks above 50 quintal capacity Rs. 25/- per trip.
- Empty haulage will be charged if the vehicles are specially booked and supplied at a particular spot for the convenience of the party. This empty haulage will be limited upto 75% of the freight for the distance covered as empty.
- In case a hired truck is held up for any reason whatsoever except during loading and unloading operations, the operators including the HRTC, can charge at the rate of Rs. 4/- per hour or part thereof subject to a maximum of Rs. 40/- per day, in addition to the usual freight charges.
- Where loading and unloading charges or some other services have to be rendered by the operator on behalf of the hirer, handling charges or loading and unloading charges as may be mutually agreed upon between the operator and the hirer can be charged extra.

GANGESH MISRA,
Secretary.

TOURISM DEPARTMENT

CORRIGENDUM

Simla-171002, the 11th February, 1976

No. 5-21/71-TD (Sectt.).—The words "Simla Town" appearing in line 8 of this Department notification of even number dated 9-12-1975, be read as "Simla City (Corporation Jurisdiction)."

By order,
GANGESH MISRA,
Secretary.

भाग 2-वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

कार्यालय उपायुक्त, कांगड़ा स्थित धर्मशाला (हिमाचल प्रदेश)

अधिसूचना

धर्मशाला-176215, 30 अप्रैल, 1976

क्रम संख्या- XIV-23 (4)-इलेक0-76—क्योंकि बन्दाह न्याय पंचायत जो कि विकास खण्ड लम्बागांव, तहसील पालमपुर, जिला कांगड़ा में है; में एक न्याय पंच की मृत्यु हो जाने के कारण एक स्थान रिक्त हो गया था;

और क्योंकि, अब इस न्याय पंचायत के उपरकथित न्याय पंच के रिक्त स्थान की पूर्ति के लिये उप-निर्वाचन प्राधिकृत अधिकारी द्वारा तिथि 19-4-76 को करवाये जाकर निर्वाचित न्याय पंच के नाम की घोषण की जा चुकी है;

अतः अब मैं, महाराज कृष्ण काव, उपायुक्त कांगड़ा, हिमाचल प्रदेश न्याय पंचायत (निर्वाचन) नियम, 1973 के नियम 26 के अधीन एतद्वारा उपरकथित न्याय पंचायत के निर्वाचित न्याय पंच श्री रतन लाल सुपुत्र श्री केवलराम, गांव बन्दाह, डाकघर बन्दाह, तहसील पालमपुर, जिला कांगड़ा (हिमाचल प्रदेश), के नाम की जन-साधारण की सूचना के लिये अधिसूचित करता हूँ।

महाराज कृष्ण काव,
उपायुक्त,
कांगड़ा, स्थित धर्मशाला।

OFFICE OF THE DISTRICT MAGISTRATE BILASPUR DISTRICT (H.P.)

ORDER

Bilaspur, the 24th April, 1976.

No. CS.PLP/FKR-3436.—In supersession of previous orders and in exercise of the powers conferred upon me under clause 3 of kerosene (Fixation of Ceiling Prices) Order, 1970, I, Lal Singh District Magistrate, Bilaspur District, H.P. hereby order that the kerosene will not be sold or attempted to be sold at the prices higher than those given below:—

This Order shall come in to force with immediate effect.

Sr. No.	Name of place.	W/S rate per litre excluding G.S.T. & local tax.	R/S rate per litre including transportation, G.S.T. other taxes & retail commission etc.
1	2	3	4
1.	Swarghat	1.33	1.47
2.	Naina Devi	1.35	1.50
3.	Bassi	1.36	1.50
4.	Tarsuh	1.37	1.51
5.	Makri	1.36	1.50
6.	Bilaspur	1.35	1.50
7.	Barri	1.37	1.51

1	2	3	4
8.	Namhol	1.38	1.52
9.	Geharwin	1.38	1.52
10.	Ghumawin	1.37	1.51
11.	Bharari	1.38	1.52
12.	Talai	1.39	1.53
13.	Kuthera	1.38	1.52
14.	Barthin	1.38	1.52
15.	Deslera	1.39	1.53
16.	Jhandutta	1.39	1.53
17.	Dadhol	1.38	1.52

* The above retail sale rates are inclusive of Central Sales Tax, G.S.T, Octroi, freight commission and all other admissible charger. The kerosene oil dealers beyond the places mentioned above will be allowed only actual transportation charges from nearest above specified stations. Every Kerosene oil dealer will maintain necessary records about the purchase and sale of kerosene. Any dealer who contravene this Order will be punishable under the provision of the kerosene oil (Fixation of Ceiling Prices) Order, 1970. Wholesale means 18.5 litres or more.

LAL SINGH,
District Magistrate,
Bilaspur.

FOOD AND SUPPLIES DEPARTMENT, KINNAUR DISTRICT, KINNAUR, KALPA (H. P.)

NOTIFICATION

Kalpa, the 13th February, 1976

No. CS.1-29/73.—In supersession of all previous notification and in exercise of the powers conferred upon me under clause 3 of the Kerosene Oil (Fixation of Ceiling Price) Order, 1970, I. V. P. Chaudhry, District Magistrate, Kinnaur district, Himachal Pradesh do hereby fix the retailsale rates of superior Kerosene Oil as given below with immediate effect:—

Sl.No.	Name of place	Retailsale rate inclusive sales taxes and other local taxes per litre
1.	Tapri	1.66
2.	Nichar	1.66
3.	Sangla	1.67
4.	Powari	1.67
5.	Peo	1.68
6.	Kalpa	1.69
7.	Akpa	1.68
8.	Spillow	1.69
9.	Pooh	1.70
10.	Malling	1.73

2. The Kerosene Oil dealers beyond the places mentioned above shall add actual transportation charges to the whole-sales rate of the purchase to their shop/depots plus retailer commission at the rate of 4 paise per litre.

3. Every dealers shall prominently display the price list of Kerosene Oil at or near the entrance of the place of sale and will maintain necessary record and register for sale of K. Oil

4. Kerosene Oil will not be stored at any other premises other than the place of business.

5. Any dealer contravening any of the clause or the order will be punishable under the provisions of the Kerosene (Fixation of selling Prices) Order, 1970.

V. P. CHAUDHRY,
District Magistrate, Kinnaur.

OFFICE OF THE DISTRICT MAGISTRATE UNA DISTRICT, UNA

NOTIFICATION

Una, the 24th April, 1976

DFSC-Una-IS-76.—In Supersession of all the previous orders and in exercise of the powers conferred upon me under clause 3 of the Kerosene oil (Fixation of Ceiling Price) Order, 1970, I, B. D. Sharma, District Magistrate, Una, District Una do hereby order that the Superior K. oil will not be sold or attempt to sold at the prices higher than those given below. This Order will come into force with immediate effect.

Sl. No	Name of place	Wholesale rate of K. oil per litre including CST@4%	Retailsale rate of KO per litre including GST @ 7 %
1.	Una	1.32	1.45
2.	Santokhgarh	1.31	1.44
3.	Mehatpur	1.31	1.44
4.	Jhalera	1.33	1.46
5.	Saloh	1.34	1.47
6.	Bhadsali	1.34	1.47
7.	Amb	1.35	1.48
8.	Mubarakpur	1.35	1.48
9.	Gagret	1.35	1.48
10.	Daulat pur	1.37	1.50
	Chowk		1.50
11.	Bharwain	1.37	1.50
12.	Chintpurni	1.37	1.50
13.	Panjawar	1.34	1.47
14.	Pandoga	1.34	1.47
15.	Ispur	1.34	1.47
16.	Bhera	1.34	1.47
17.	Nehri	1.34	1.47
18.	Jowar	1.36	1.49
19.	Sohari Takoli	1.36	1.49
20.	Chowkimaniar	1.35	1.48
21.	Bangana	1.36	1.49
22.	Lathiani	1.37	1.50
23.	Dulchar	1.36	1.49
24.	Kungrat	1.36	1.49
25.	Chhetran	1.36	1.49

	Rs. P	Rs. P.
1.	Una	1.32
2.	Santokhgarh	1.31
3.	Mehatpur	1.31
4.	Jhalera	1.33
5.	Saloh	1.34
6.	Bhadsali	1.34
7.	Amb	1.35
8.	Mubarakpur	1.35
9.	Gagret	1.35
10.	Daulat pur	1.37
	Chowk	1.50
11.	Bharwain	1.37
12.	Chintpurni	1.37
13.	Panjawar	1.34
14.	Pandoga	1.34
15.	Ispur	1.34
16.	Bhera	1.34
17.	Nehri	1.34
18.	Jowar	1.36
19.	Sohari Takoli	1.36
20.	Chowkimaniar	1.35
21.	Bangana	1.36
22.	Lathiani	1.37
23.	Dulchar	1.36
24.	Kungrat	1.36
25.	Chhetran	1.36

The above rates are inclusive of C. S. T., G. S. T. and all incidental charges admissible except Octroi @ Rs. 4.90 paise per K. L. octroi is only be charged by the retailers of those areas where there is applicable. Drum depreciation is not allowed as the supply is being made direct to the retailers. The K. oil dealers beyond the

places mentioned above shall add actual transportation charges from the place specified above to their retail points to arrive at the rates at which they are required to sell K. oil.

Every K. oil wholesale Dealer will maintain necessary record pertaining to the receipt and sale of K. oil.

Every dealer shall prominently display the prices of K. oil along with its daily stock position on special board to be maintained for this purpose at a conspicuous place of business premises.

No dealer having stock of K. oil shall withhold it from sale. Any dealer contravening any of the provisions of this order shall be punishable under section 7 of the Essential Commodities Act, 1955 as amended from time to time).

B. D. SHARMA,
District Magistrate, Una.

DIRECTORATE OF AGRICULTURE

NOTIFICATIONS

Simla-5, the 17th February, 1976

No. 7-10/74-Agr-I (Acctts.).—In exercise of the powers vested in me vide para 2 of 1.26 of Himachal Pradesh Financial Rules, Vol. I, 1971 and supplementary rule 191, I hereby declare the Plant protection Officer Solan and Bilaspur at Solan, as Drawing and Disbursing Officer as well as a Controlling Officer to countersign the T.A./ Medical claims of Class-III and IV staff working under him in respect of head (g)—Plant Protection (Really New Scheme (g)(vi)—Academic area Central of late blight of potatoes for the year 1975-76.

2. The Dy. Director of Agriculture (ST) Himachal Pradesh, Solan will be the Controlling Officer of the above Scheme in respect of Solan and Bilaspur district to countersign the TA/Medical claims of Class II Officer.

Simla-5, the 17th February, 1976

No. 7-10/74-Agr-I (Acctts.).—In exercise of the powers vested in me vide para 2 of rule 1.26 of Himachal Pradesh Financial Rules, Vol-I, 1971 and Supplementary Rule, 191, I hereby declare the Deputy Director of Agriculture (M.C.), Simla the Controlling Officer of following schemes operated by the Plant Protection Officer, Simla, to countersign the T.A. Bills/Medical claims of Class II Officers:—

- (1) Major Head: 305—Agriculture.
Minor Head: (g)(ii) Plant Protection Scheme.
- (2) Major Head: 305—Agriculture (Central Sector).
Minor Head: (g)(vi) Academic area control of late blight of potatoes).
- (3) Minor Head: 505—Capital Outlay on Agriculture,
Minor Head: (c)(i) Purchase of Plant Protection equipments.

Sd/-
Director.

OFFICE OF THE DISTRICT FOOD AND SUPPLIES CONTROLLER, CHAMBA DISTRICT, CHAMBA NOTIFICATION

Chamba, the 4th February, 1976

No. F&S(IS)R.F/76.—In exercise of the powers vested in me under clauses 6 & 7 of the Himachal Pradesh, Salt (Distribution and Price) Control Order, 1971 vide notification No. CS(Order)28/71, dated the 12th November, 1974, I, M. C. Guleria, District Food and Supplies Controller, Chamba district, Chamba (H.P.) hereby fix the wholesale and retailsale rate of Iodized Salt as shown against each of the following places of Chamba district.

Sl. No.	Name of place	Wholesale rate per quintal	Retail sale rate per Kg.
1.	Chamba	24.95	0.26
2.	Dalhousie	23.75	0.25

These rates are including all charges i.e. transportation, incidental, wholesale commission and retailsale commission, etc., and all the wholesalers and retailers are bound to sell the above commodity on the aforesaid rates. The dealers of Iodized Salt, beyond the places mentioned above will be allowed only approved actual transportation from the nearest above specified stations to their places of business/shops.

Any wholesaler/retailers found charging the rates higher than those fixed above, would be dealt under the provisions of the Himachal Pradesh, Salt (Distribution and Price) Control Order, 1971.

M. C. GULERIA,
District Food and Supplies Controller,
Chamba.

OFFICE OF THE DISTRICT CO-OPERATIVE AND SUPPLIES OFFICER, CHAMBA

OFFICE ORDERS

No. 2-132/74/Kamdheni/1307-12.—As ordered under section 78 of the H.P. Co-operative Societies Act, 1968 (Act No. 3 of 1969) for winding up of the Kamdheni Dairy Co-operative Society Ltd., Chamba have been issued.

I, U. S. Jaswal, District Co-operative and Supplies Officer, Chamba, therefore, in exercise of the powers conferred on me under section 79 of the H.P. State Co-operative Societies Act, 1968 (Act No. 3 of 1969) hereby appoint Shri Kidar Nath Thakur, District Inspector, Co-operative Societies, Chamba as liquidator of the said Kamdheni Dairy Co-operative Society Ltd., Chamba with immediate effect.

Shri Kidar Nath Thakur, District Inspector, Co-operative Societies, Chamba appointed as liquidator of the aforesaid society under this order is delegated all the powers under section 80(2) of the H.P. Co-operative Societies Act, 1968 (Act No. 3 of 1969).

Chamba, the 22nd March, 1976

No. 2-163/62/Thakar Bappa/1876-80.—Whereas the Thakar Bappa Ashram Co-operative School Store Mindhal, Tehsil Pangi, District Chamba has been put under winding

up operation vide this office order endt. No. 2/163/62/Thakar Bappa/1872-75, dated 22-3-1975 under section 78(i) of the Himachal Pradesh Co-operative Societies, Act, 1968 (Act No. 3 of 1969) for ceasing to function in accordance with the Co-operative Law.

I, U. S. Jaswal, District Co-operative and Supplies Officer, Chamba in exercise of the powers under section 79 of the H. P. Co-operative Societies Act, 1968 (Act No. 3 of 1969) appoint Shri Piar Singh Sub-Inspector Co-operative Societies, Pangi as liquidator of the Thakar Bappa Ashram Co-operative School Store, Mindhal with all the powers of liquidator under section 80 of the H. P. Co-operative Societies Act, 1968 (Act No. 3 of 1969).

The liquidator is also allowed to keep with him cash in hand not exceeding Rs. 20 at a time to meet the liquidation expenses and beyond this limit approval of the under signed should be obtained.

Chamba, the 22nd March, 1976

No. Co-op. 2-163/62/Thakar Bappa/1872-75.—Whereas the Inspector, Co-operative Societies, Pangi has reported that the bye-laws of the Thakar Bappa Ashram Co-operative School Store Mindhal, Tehsil Pangi, District Chamba were approved on 23-8-1961. Since then this School store did not start functioning and it remained dormant and as such affairs are violation of provisions of H.P. Co-operative Societies Act, Rules and bye-laws.

Whereas, the School for which this school store was organised, is not in existence for the last many years and as such neither there is any management nor any member in the said Store.

And whereas the Inspector, Co-operative Societies, Pangi keeping in view the stagnant condition of the school Store has recommended to put up the store under winding up operation.

Now, therefore, I, U. S. Jaswal, District Co-operative and Supplies Officer, Chamba in exercise of the powers conferred upon me under section 78(i) of the H.P. Co-operative Societies, Act, 1968 (Act No. 3 of 1969) hereby order the winding up of the Thakar Bappa Ashram Co-operative School Store Mindhal, Tehsil Pangi, District Chamba.

Orders of appointment of liquidator are being issued separately.

Given under the seal and signature of the under-signed the 22nd day of March, 1976.

U. S. JASWAL,
District Co-operative and Supplies Officer.

HIMACHAL PRADESH MEDICAL COLLEGE SIMLA-1

NOTIFICATIONS

Simla-1, the 1st May, 1976

No. MCA-34/75-6189-6229.—In exercise of the powers vested in me under Rule 1.26 of Himachal Pradesh Financial Rules, Vol. 1, 1971, I hereby declare Dr. Devinder Singh Puri Assistant Professor of Medicine, Himachal Pradesh Medical College, Simla as Drawing and Disbursing Officer under Head 280—Medical (c) Education (c) (i) Medical College, (Plan and

Non-Plan) and 281—Family Planning (Plan) Centrally Sponsored Scheme (g) Services, and Supplies (g) (i) Post Partum Centre, in place of Dr. N. K. Vaidya, Professor of Preventive and Social Medicine with effect from 3-5-76 till further orders.

2. The above named Officer will also be Controlling Officer in respect of T. A. Bills of Class III and IV employees of Himachal Pradesh Medical College, and its associated Hospitals.

Simla-1, the 20th May, 1976

No. MCA-34/76.—In exercise of the powers vested in me under Rule 1.26 of Himachal Pradesh Financial Rules Vol. I, I hereby declare Capt. V. P. Chaudhary, Administrative Officer, Himachal Pradesh Medical College, Simla, as Drawing and Disbursing Officer under Head "280-Medical (c) Education (c) (i) Medical College (Plan & Non-Plan) and 281—Family Planning (Plan) Centrally Sponsored Scheme (g) Other Services and Supplies (g) (iv) Post-Partum Centre in place of Dr. N. K. Vaidya, Professor of Prev. and Social Medicine with immediate effect.

2. The above named Officer will also be Controlling Officer in respect of T. A. Bills of Class III and IV Employees of H. P. Medical College, Simla, and its attached Hospitals.

M. P. VAIDYA,
Principal.

INDUSTRIES DEPARTMENT

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/71

Dharamsala the 26th April, 1976

No. Ind. (Loans)/L/DIO/751.—Whereas a notice was served on Shri Waryam Singh s/o Shri Kehar Singh, Village and Post Office Kangra on 30-5-1975 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Waryam Singh to pay to me the sum of Rs. 680/- as principal with interest thereon @ 3 per cent per annum from 25-3-70 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 680/- as principal with further interest thereon @ $7\frac{1}{2}$ per cent per annum from 25-3-70 till date of final payment is due from the said Shri Waryam Singh and that property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Waryam Singh s/o Shri Kehar Singh Against C. W. C.

P. K. BHARDWAJ,
*District Industries Officer,
Kangra at Dharamsala.*

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/71

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/RIP/480.—Whereas a notice was

served on Shrimati Vidya Devi w/o Shri Mast Ram, Village and P. O. Paprola, Tehsil Palampur, (Kangra) on 17-2-76, under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shrimati Vidya Devi to pay to me the sum of Rs. 500/- as principal with interest thereon @ $5\frac{1}{2}$ % per annum from 9-2-74 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 500 as principal with further interest thereon @ 8 per cent per annum from 9-2-74 till date of final payment is due from the said Shrimati Vidya Devi and that property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shrimati Vidya Devi w/o Shri Mast Ram Against C. W. C.

P. K. BHARDWAJ,
*District Industries Officer,
Kangra at Dharamsala.*

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 24th April, 1976

No. Ind. (Loan)/L/RIP/503/.—Whereas a notice was served on Shri Balkrishan s/o Shri Lekh Chand Sood Village and Post Office Palampur (Kangra) on 13-5-1974 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Balkrishan to pay to me the sum of Rs. 1480 as principal with interest thereon at the rate of $6\frac{1}{2}$ per cent per annum from 9-2-72 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 1480. as principal with further interest thereon at the rate of 9 per cent per annum from 9-2-72 till date of final payment is due from the said Shri Balkrishan and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debt, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or surety Shri Balkrishan s/o Shri Lekh Chand Sood, against personal surety.

P. K. BHARDWAJ,
*District Industries Officer,
Kangra at Dharamsala.*

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT 1935/1971

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/RIP/522.—Whereas a notice was served on Shri Harbilas s/o Shri Bishan Dass, Village & P.O.

Baijnath, Tehsil Palampur (Kangra) on 14-1-76 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Harbilas to pay to me the sum of Rs. 3400/- as principal with interest thereon at the rate of 6½ per cent per annum from 28-5-72 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 3400/- as prin. with further interest thereon @ 9% per annum from till date of final payment is due from the said Shri Harbilas and that property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties S/Shri Jagdish Chand, Parkash Chand, against Sureties.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/71

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/RIP/513.—Whereas a notice was served on Shri Om Parkash s/o Shri Sukh Ram, Village and P. O. Baijnath, on 14-1-76 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Om Parkash to pay to me the sum of Rs. 420/- as principal with interest thereon @ 5½ per cent per annum from 23-5-74 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 420/- as principal with further interest thereon @ Rs. 8 per cent per annum from 23-5-74 till date of final payment is due from the said Shri Om Parkash and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stock, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties S/Shri Om Parkash s/o Shri Shri Sukh Ram against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/RIP/504.—Whereas a notice was served on Shri Prem Chand s/o Shri Nidhu Ram Village and P. O. Saliara, Tehsil Palampur (Kangra) on 4-1-1976, under section 23 of the Punjab State

Aid to Industries Act, 1935/1971 calling upon the said Shri Prem Chand to pay to me the sum of Rs. 740/- as principal with interest thereon @ 6½% per annum from 9-2-72 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 740/- as principal with further of thereon @ 9 per cent per annum from 9-2-72 till date of final payment is due from the said Shri Prem Chand and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Prem Chand s/o Shri Nidhu Ram, against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT 1935/1971

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/RIP/511.—Whereas a notice was served on Shri Kali Dass s/o Shri Dewan Chand, Village Khopa, P.O. Bandian, Tehsil Palampur (Kangra) on 14-1-76 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Kali Dass to pay to me the sum of Rs. 415/- as principal with interest thereon @ 6½ per cent per annum from 26-11-73 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 415/- as principal with further interest thereon @ 9% per cent per annum from 26-11-73 till date of final payment is due from the said Shri Kali Dass and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Kali Dass s/o Shri Dewan Chand against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 24th April, 1976

No. Ind. (Loans)/L/510/RIP.—Whereas a notice was served on Shri Brij Lal s/o Shri Sidhu Ram, Village Kunsal, P. O. Noura, Tehsil Palampur on 14-1-76 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Brij Lal to

pay to me the sum of Rs. 740/- as principal with interest thereon @ 6½% per annum from 24-11-71 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs 740/- as principal with further interest thereon @ 8% per annum from 24-11-71 till date of final payment is due from the said Shri Brij Lal and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Brij Lal s/o Shri Sidhu Ram against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 30th April, 1976

No. Ind. (Loans)/L/DIO/752.—Whereas a notice was served on Shri Girdhari Lal s/o Shri Bhagat Ram, Village and Post Office Mataur (Kangra) on 30-5-1975 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Girdhari Lal to pay to me the sum of Rs. 520/- as principal with interest thereon at the rate of Rs. 3% per annum from 25-3-71 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 520/- as principal with further interest thereon at the rate of Rs. 7½% per annum from 25-3-71 till date of final payment is due from the said Shri Girdhari Lal and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Girdhari Lal s/o Shri Bhagat, Ram against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 5th May, 1976

No. Ind. (Loans)/L/DIO/682.—Whereas a notice was served on Shri Suram Singh s/o Shri Kirpa Ram, Tika Aloh, P. O. Garli, Tehsil Dehra on 27-10-1970 under section 27 of the Punjab State Aid to

Industries Act, 1935/1971 calling upon the said Shri Suram Singh to pay to me the sum of Rs. 1700/- as principal with interest thereon @ 3% per annum from 8-1-68 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 1700/- as principal with further interest thereon @ 7½% per annum from 8-1-68 till date of final payment is due from the said Shri Suram Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties S/Shri Sita Ram, Rasila Singh, against sureties.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 5th May, 1976

No. Ind. (Loans)/L/DIO/523.—Whereas a notice was served on Shri Ganu Ram s/o Shri Mingnu Ram, Vill. and P.O. Khundian, Tehsil Dehra on 29-12-75 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Ganu Ram to pay to me the sum of Rs. 200/- as principal with interest thereon @ Rs. 3 per cent per annum from 21-7-69 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 200/- as principal with further interest thereon @ 7½% per annum from 21-7-69 till date of final payment is due from the said Shri Ganu Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Ganu Ram s/o Shri Mingnu Ram against C. W. C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935/1971

Dharamsala, the 5th May, 1976

No. Ind. (Loans)/L/DIO/665.—Whereas a notice was served on Shri Ranjit Singh s/o Shri Kahan Singh, Village Simbal, Tehsil Palampur on

30-5-1975 under section 23 of the Punjab State Aid to Industries Act, 1935/1971 calling upon the said Shri Ranjit Singh to pay to me the sum of Rs. 300/- as principal with interest thereon @ 3% per annum from 16-11-1970 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 300/- as principal with further interest thereon @ 7½% per annum from 16-11-70 till date of final payment is due from the said Shri Ranjit Singh and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks, shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or a part thereof and any other personal security of the loanee or sureties Shri Ranjit Singh s/o Shri Kahan Singh against C.W.C.

P. K. BHARDWAJ,
District Industries Officer,
Kangra at Dharamsala.

OFFICE OF THE PROJECT OFFICER (INDUSTRIES) CHAMBA FORM 'Q'

FORM OF NOTICE UNDER SECTION 24

Chamba, the 17th February, 1976

No. Ind. 8(Loan)254/73-74-273-5.—WHEREAS a notice was served on Shri Shanti Prakash on 9-6-1975 under section 23 of the Himachal Pradesh State Aid to Industries Act, 1971 calling upon the said Shri Shanti Prakash to pay Rs. 350/- before 5-7-1975 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 5,000/- plus interest is due from the said Shri Shanti Prakash and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets movable and immovable of the loanee and his two sureties.

A. S. SALUJA,
Project Officer (Industries), Chamba.

INDUSTRIES DEPARTMENT GEOLOGICAL WING RAM BHAWAN, SANJAULI

AUCTION NOTICE

Simla-6, the 5th May, 1976

No.5-240/75-IND (GLG).—It is hereby notified for the information of the general public that minor mineral quarries of Sirmur district will be sold by public auction in the premises of H.P.P.W.D. Rest House, Paonta Sahib (District Sirmur) on 10th June, 1976 at 11.00 A.M.

Sl. No.	Name of quarry.	Area of quarry	Name of minor mineral	Period of contract
1	2	3	4	5
1.	Paonta Quarry.	(i) From V. Manpur Dera down stream upto confluence of Giri and Yamuna rivers.	Sand/Stone/ Bajri.	One year.

1	2	3	4	5
		(ii) From 300 Mts. down stream of Govindghat to down stream upto confluence of the Bata with the Yamuna river.		
2.	Sataun Quarry.	(i) From village Chandhi down stream upto village Pedha.	Sand/stone/ Bajri.	One year.
		(ii) From 500 Mts. down stream of Bangran P.W.D. Bridge down stream upto village Manpur Dera.		

The auction is being made on the following terms and conditions:—

- The terms and conditions of the sale/auction will be announced on the spot.
- The bid shall be per annum.
- Any person intending to bid shall deposit Rs. 100/- with the Presiding Officer in advance as earnest money.
- Bidders can inspect the quarries before bidding in their own interest.
- The Presiding Officer reserves the right to group and bifurcate the quarries without assigning any reason.
- On completion of the auction the result shall be announced and provisionally selected bidders shall immediately deposit 25% of the amount of the bid for one year as security for execution of the agreement deed and due observance of its terms and conditions and an equal amount as first instalment of royalty where the bids exceed Rs. 1,000/- P.A. Where the bid does not exceed Rs. 1,000/- P.A. the full amount of the contract will be realised on the spot. The bid shall be treated as accepted unless confirmed by the competent authority.
- Bidders should not be defaulter in payment of Govt. dues. Any bidder found defaulter he shall not be allowed to participate in the auction.
- The Govt. reserves the right to accept or reject the highest bid without assigning any reason.
- The auction is being made subject to the provisions contained in the H.P.M.M. (Concession) Revised Rules, 1971.
- If any bidder is found mis-behaving during the auction proceedings his earnest money shall be forfeited and shall be disqualified to participate in the auction.
- The Govt. reserves the right to reduce or enhance the period of contract.
- No mining operations shall be allowed within 50 Mts. from the river/nulla bank.

13. No mining operations shall be allowed within 50 Mts. from the bridge, National Highway or State Highway, without the prior written permission of the competent authority.
14. The highest bidder after the receipt of grant orders shall keep the Govt. indemnified from any third party claim.
15. The other information and details of the area can be obtained from the Mining Officer, Sirmur district, Nahan.

SUBHASH SHARMA,
Geologist.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-9, the 24th March, 1976

No. PW-Irrig-(Zil.)3(II)/76.—Whereas it appears to the Governor, Himachal Pradesh, that the land is to be acquired by the Government at public expenses for a public purpose, namely L.I.S. Satiwala, Tehsil Paonta, District Sirmur (Himachal Pradesh).

It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Himachal Pradesh P.W.D., Solan.

SPECIFICATION

District: SIRMUR

Tehsil: PAONTA

Village	Khasra No.	Area Big. Bis.
SATIWALA	64/1/1	0 8
	57/1	0 4
Total .. 2		0 12

Simla-9, the 24th March, 1976

No. PW-Irrig.(Zil.)3(II)/76.—Whereas it appears to the Governor, Himachal Pradesh, that the land is to be acquired by the Government at public expenses for a public purpose, namely L.I.S. Behral, Tehsil Paonta, District Sirmur (Himachal Pradesh).

It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter

upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of the said land in the locality may, within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Himachal Pradesh P.W.D., Solan.

SPECIFICATION

District: SIRMUR

Tehsil: PAONTA

Village	Khasra No.	Area Big. Bis.
BEHRAL	158/1	0 12
	58/1	0 3
	61/1	0 1
Total .. 3		0 16

R. K. SARKAR,
*Superintending Engineer,
Irrigation Circle, H. P. P. W. D., Simla-9.*

Simla-3, the 25th March, 1976

No. SE-II-R-54-2/75-5996-6000.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Chhaila Ghund road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D., is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D., Simla-9.

SPECIFICATION

District: SIMLA

Tehsil: THEOG

Village	Khasra No.	Area Big. Bis.
SHALOA	441/1	0 13
	452/1	0 1
	460/1	1 14
	421/1	0 16
	400/1	1 8
	414/1	0 1
	417/1	0 5
	451/211	0 10
	451/1/1	0 12
	418/1	0 1
	419/1	1 2
	454/1	0 1
Total .. 12		7 4

O. P. SABHLOK,
*Superintending Engineer,
2nd Circle, Himachal Pradesh Public Works Department.
Simla-3.*

Hamirpur, the 6th February, 1976

Hamirpur, the 11th March, 1976

No. SE-VIII/BSR-LA-Bldg-IV-WIII/75/2290-94.—Whereas, it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of P.W.D. Colony at Mehre, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D. is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D. Hamirpur.

SPECIFICATION

District: HAMIRPUR Tehsil: BARSAR

Village 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
BAN1	787/2	49	17
	785/2	7	10
Total		57	07

Hamirpur, the 19th February, 1976

No. SE-VIII/LA-3/Bldgs-2/WIII/75/2980-84.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of P.W.D. Colony at Gagret, District Una (Himachal Pradesh), it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D. is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D., Hamirpur.

SPECIFICATION

District: UNA Tehsil: AMB

Village 1	Khasra No. 2	Area	
		Big. 3	Bis. 4
BADOH	45/25/1	1	1
	44/21/2/1	0	18
	51/5/1/1	2	13
	52/1/1	3	2
Total		7	14

or 0.74 Acres.

No. SE-VIII/LA/WS-II-WIII/75-4896-900.—Whereas it appears to the Governor, Himachal Pradesh that the land is likely to be required to be taken by Government at public expense for a public purpose, namely for construction of Water Supply Scheme at Hamirpur district, Hamirpur (Himachal Pradesh). It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may likely to be concern.

In exercise of the power conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Himachal Pradesh P.W.D., Hamirpur.

SPECIFICATION

District: HAMIRPUR Tehsil: HAMIRPUR

Village	Khasra No.	Area K. M.	
GHANAL KALAN	371/1	0	3
	374/1	0	3
Total		0	6

S. P. SHARMA,
Superintending Engineer,
8th Circle, H.P. P.W.D., Hamirpur.

OFFICE OF THE REGISTRAR CO-OPERATIVE SOCIETIES(P) CHAMBA, DISTRICT CHAMBA

OFFICE ORDER

Chamba, the 26th February, 1976

No. 2-132/74/Kamdheni/1302-06.—Whereas a report has been made by the Inspector, Co-operative Societies, Chamba regarding working of the Kamdheni Dairy Co-operative Society Ltd., Chamba. The society has ceased to function in accordance with the Act and Rules and there is no hope of its revival and has been recommended to place it under winding up process.

I, U. S. Jaswal, Registrar, Co-operative Societies (P) Chamba in exercise of the powers conferred on me under section 78 of the H.P. Co-operative Societies Act, 1968 (Act No. 3 of 1969) hereby order the winding up of the affairs of the Kamdheni Dairy Co-operative Society Ltd., Chamba, District Chamba.

Given under the seal and signatures of the undersigned the 25th day of February, 1976. (One thousand, nine hundred and seventy-six).

Seal.

U. S. JASWAL,
Registrar.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

ANIMAL HUSBANDRY DEPARTMENT

ADDENDUM

Simla-171002, the 26th February, 1976

No. 29-3 69-AH(Sectt.).—Please add the following as para 2 to this Department's notification of even number, dated the 12th January, 1976:—

2. The provision regarding educational and technical qualifications appearing in Rule 8(18) pertaining to the post of Veterinary Supervisor, of Class III Executive Section Rules notified vide this Government, Animal Husbandry Department notification of even number, dated the 27th March, 1970 is deleted."

S. M. VERMA,
Under Secretary.

EDUCATION DEPARTMENT

NOTIFICATION

Simla-171002, the 18th March, 1976

No. 27-1/72-Sectt. Edu-A.—The Governor, Himachal Pradesh, is pleased to make the following rules for regulating the payment of grant-in-aid to Libraries in Himachal Pradesh:—

1. *Short title and application.*—(1) These rules may be called Rules for Grant-in-aid to libraries in Himachal Pradesh and will come into force with immediate effect.

(2) These rules shall apply to all the Libraries under the control of the State Government, Local Bodies, Educational and other non-official Organisations which receive grant-in-aid from the State Government or in any of its Departments in cash, equipment, books or any other form.

2. *Conditions for grant-in-aid.*—(1) A grant-in-aid may be sanctioned to a Library in Himachal Pradesh which—

- (i) possesses its own building;
- (ii) is adequately furnished;
- (iii) functions regularly, observes prescribed rules for the regulation of working hours, issues and loans out books and periodicals, enlists members etc; and
- (iv) has in stock at least 500 books (This limit shall be reduced to 250 books in the case of Panchayat Libraries which are on the approved list of Central Library Committee, Himachal Pradesh).

Before any grant-in-aid is sanctioned to any library the sanctioning authority shall, as far as possible, insist on obtaining annual audited statement of accounts showing that the proposed grant-in-aid is justified and that any previous grant given to it has been properly utilised. However, it shall not be necessary for this purpose that the accounts be audited in every case by the Audit Department, if the accounts are certified as correct by a Chartered Accountant, Examiner Local Fund Accounts or other approved body of Auditors. Provided that:—

- (a) the sanctioning authority may, at its discretion exempt 'small libraries' from the submission of audited statement of accounts. While communicating sanction to the Accountant General, Himachal Pradesh and Chandigarh it shall be stated whether the audited statement of account has been received, when required, or whether the grantee has been exempted from submitting the statement;—
- (b) in case of a departmental library, certificate from the Head of the Department to the effect that the accounts of the library have been properly maintained and the grant has been properly utilised for the specified purpose and within the specified period, shall be accepted.

Explanation.—The term "small Library" shall mean a library with an income of less than Rs. 500 per annum or which is at an infant stage and has not yet acquired the minimum of 500 books in its stock.

3. *Application for grant-in-aid.*—An application for grant-in-aid shall be submitted in duplicate in the prescribed form (Annexure-A) and shall be considered by the Central Library Committee, Himachal Pradesh on the recommendations of:—

- (a) the District Library Committee;
- (b) the member of the Central Library Committee; and
- (c) the Head of the Department incharge of the Library.

4. *Order of grant-in-aid.*—Every order sanctioning a grant-in-aid shall specify the object for which it is given and the conditions, if any, attached to the grant-in-aid.

In the case of non-recurring grants for specified purposes, the order shall also specify the time-limit within which the grant-in-aid is to be utilised.

5. *Payment of grant-in-aid.*—Only so much of the grant shall be paid during any financial year as is likely to be expended during that year. Any portion of the amount which remains unspent/unutilized shall be surrendered to the State Government. The authority signing or counter-signing a bill for grants-in-aid shall see that money is not drawn in advance of requirements.

6. *Certificates for maintenance of accounts.*—In respect of grant-in-aid sanctioned under Rule 4, the Departmental Officer on whose signature or countersignature the grant-in-aid bill is drawn shall be primarily responsible for certifying to the Accountant General, Himachal Pradesh and Chandigarh, where necessary, about the fulfilment of the conditions attached to the grant-in-aid unless there is any order to the contrary. This certificate is to be furnished in the prescribed form (Annexure-B).

7. *Inspection.*—Any library to which a grant-in-aid is given under these rules, shall be open to inspection by any person authorised for the purpose by the authority sanctioning the grant with a view to checking that the library is functioning according to the order passed under Rule 4.

8. Accounts of the institutions receiving grant-in-aid should be open to the test-check by the Accountant General, Himachal Pradesh and Chandigarh or the Comptroller and Auditor General of India at his discretion.

9. The grantee is also required to furnish the proper utilisation certificate to the Audit Office through the Director of Education, Himachal Pradesh within a specified period as laid down in the sanction accorded by the Government.

10. The assets should not, without the prior approval of the Government be disposed of or utilised for the purpose(s) other than those for which grants are sanctioned.

11. Purpose of grant-in-aid to the Panchayat/Public and Municipal Libraries will be given in the shape of books subject to fulfilling the terms and conditions and its quantum dependent on the availability of funds once in a year.

12. The grants in the shape of books are payable to the Library and not in the name of the particular person. The grants under these rules are payable only to the Municipal and Panchayat/Public Libraries.

13. The sanctioning authority should certify specifically in the sanction that the audited statement of accounts showing proposed grant-in-aid is justified and that any previous grant given to library has been properly utilised of the grantee has been exempted from producing such statement of accounts with specific reasons.

14. The respective District Education Officer should sign or countersign the grant-in-aid bill as the case may be.

15. The sanctioning authority should record his designation with his department while according grant-in-aid sanction.

16. *Power to reduce, suspend or withheld grant-in-aid.*—The authority sanctioning the grant-in-aid may reduce, suspend or withdraw the grant-in-aid at any time if the conditions attached thereto are not complied with or for any other reasons.

Provided that in every case in which withdrawal or suspension of grant is proposed, the authority incharge of the library shall be given an opportunity of tendering explanation in writing.

ANNEXURE 'A'

CENTRAL LIBRARY COMMITTEE

APPLICATION FORM FOR GRANT-IN-AID

1. Name of the Library.
2. Full Address.
3. Government/Semi-Government/Private.
4. In case of Private one, name and address of the institute which runs the library.
5. Number of books in stock.
6. Name of periodicals being subscribed.
7. Whether housed in its own building or in a rented building.
8. Accommodation available.
9. Whether it is functioning regularly and has any rules and regulations.

10. Are the rules and regulations being observed?
11. Is it properly furnished?
(Mention the type of furniture and fittings etc.)
12. Is there any librarian? (State whole-time or part-time).
13. Amount, if any received as grant-in-aid from the Central Library Committee, Punjab/Haryana/H.P. or any other source alongwith specific purpose.
14. Are the accounts being maintained properly? If so, a copy of the audited statement of accounts be attached.
15. Is any arrear due on account of contribution to be paid by local body towards the maintenance of provincialised schools. An authenticated proof to the reply be enclosed.

Signature of applicant.

Designation and name of the Library.

Dated.....

Recommendations of the District Library Committee/Member of the Central Library Committee, H.P./Head of the Department.

Signature of the forwarding authority.

Dated.....

Rejected/a sum of Rs..... is sanctioned as grant-in-aid for the purpose of.....

The amount is to be utilised during the current financial year.

ANNEXURE 'B'

CERTIFICATE

1. Certified that a sum of Rs..... (in words.....) drawn vide Treasury Voucher No....., dated..... sanctioned vide letter No....., dated..... has actually been disbursed (in the shape of books) to the payees concerned. Regular receipt has been obtained and kept in the office record.

2. It is certified that the grant-in-aid in question has actually been utilised for the purpose for which it was sanctioned. It is also certified that it has been assured according to the procedure laid down in Rule 3 of grant-in-aid to Libraries, H.P. that the conditions attached to the grant-in-aid have actually been duly fulfilled by the grantee.

Secretary,
District Library Committee

By order,
R. C. GUPTA,
Secretary

DIRECTORATE OF LABOUR, EMPLOYMENT AND TRAINING OFFICE ORDER

Simla-2, the 25th March, 1976

No. I&S-15(Accts)163/66.—In exercise of the power vested in me vide Rule 1.26 of the Himachal Pradesh Financial Rules, Volume-I, 1971, I hereby declare that

Sub-Regional Employment Officer, Incharge Special Cell for Ex-Servicemen, Directorate of Labour, Employment and Training, Himachal Pradesh, Simla as Head of Office/Drawing and Disbursing Officer in respect of the Head of Account 287—Labour and Employment—B Employment and Training (b)—Employment Exchanges (b)(i)—Extension of Coverage of Employment Service-Special Employment Exchange for the Physically Handicapped (Centrally Sponsored Scheme) in respect of Class-III and IV staff sanctioned under the said Scheme, with immediate effect.

The Sub-Regional Employment Officer (Special Cell for the Ex-Servicemen) will also function as Controlling Officer for T.A. in respect of Class III and IV staff sanctioned for the Special Employment Exchange for Physically Handicapped under the sub-head referred to above.

This is in continuation of this Directorate Office Order of even number dated the 3rd April, 1973.

HARI SINGH,

Labour-Commissioner-cum-Director.

LABOUR, EMPLOYMENT & PRINTING DEPARTMENT

NOTIFICATION

Simla-2, the 5th May, 1976

No. 10-1/75-LEP (APP).—In exercise of the powers conferred by sub-section (5) and (6) of section 24 of the Central Apprentices Act, 1961 (Act No. 52 of 1961) the Governor of Himachal Pradesh, is pleased to make the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Apprenticeship Council Rules, 1975.

(2) They shall come into force at once.

2. Definition.—In these rules, unless the subject or context otherwise requires,—

(a) "Act" means the Apprentices Act, 1961 (52 of 1961);

(b) "Chairman" means the Chairman of the State Apprenticeship Council, Himachal Pradesh;

(c) "Council" means the State Apprenticeship Council established under sub-section (1) of section 24 of the Act;

(d) "Member" means a member of the Council; and

(e) "Secretary" means Secretary to the Council.

3. Constitution of Council.—The Council shall consist of a Chairman who shall be appointed by the State Government and the following other members, who shall also be appointed by the State Government, namely:—

(a) not more than four representatives of employees in establishments in the public sector;

(b) not more than six representatives of employers in establishments in the private sector;

(c) one representative of the Central Government;

(d) not more than seven representatives of the State Government;

(e) not more than two persons having special knowledge and experience on matters relating to industry and labour.

4. Term of office.—(1) The Council shall be constituted for a period of three years and thereafter it shall be reconstituted at the end of every three years. All the members appointed to it shall accordingly hold office for a period of three years:

Provided that a member of the Council shall, notwithstanding the expiry of the said period of three years, continue to hold office until his successor is appointed.

(2) Where a person is chosen as a member of the Council by virtue of the office or appointment he holds, he shall cease to be member if he ceases to hold that office or appointment.

5. Cessation of membership.—(1) A member of the Council shall cease to be a member if he dies, resigns, becomes of unsound mind, is declared insolvent or is convicted of a criminal offence involving moral turpitude.

(2) A resignation of membership shall be tendered to the Secretary and shall not take effect until it has been accepted on behalf of the Council by the Chairman.

6. Filling of vacancies.—(1) Any vacancy in the membership of the Council caused by reasons mentioned in sub-rule (1) of rule 5 shall be filled by the State Government.

(2) A member appointed to fill a casual vacancy shall hold office for so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

7. Time and place of meeting.—The Council shall meet as often as may be necessary and at least once a year on such date, time and place as may be determined by the Chairman.

8. Notice of meeting.—The Secretary shall give a notice of not less than fifteen days for a meeting of the Council to each member but a shorter notice may be given for holding an emergent meeting.

9. Quorum for the Council.—One-third of the number of members of the Council shall constitute the quorum for any meeting of the Council.

10. Decision by majority.—(1) All questions to be decided by the Council shall be in accordance with the opinion of the majority of the members present and voting.

(2) Each member shall have one vote. If there is equality of votes, the Chairman shall have and exercise the casting vote.

11. Business by circulation.—The Chairman may, in special circumstances, instead of convening a meeting of the Council, obtain the opinion of the members on any item of business individually by circulation of papers and

such item shall be decided in accordance with the opinion of the majority.

12. Proceedings of the Council.—(1) Copies of all proceedings of the Council shall be furnished to the Secretary of the National Council for Training in Vocational Trades. Any views expressed or suggestions made thereon by the said National Council shall be duly considered by the Council.

(2) In all other matters, the Council shall follow such procedure as it may determine.

13. Power to co-opt members.—The Council may, at any time, invite any person to attend its meeting to give advice or assist in any matter. The person so invited shall, however, not be entitled to vote on any question coming before the Council.

14. Committees of Council.—(1) The Council shall have the power to appoint such Standing or Special Committees for assisting it in the discharge of its functions as may be considered expedient by it.

(2) The composition and the functions of the Standing or Special Committees shall be determined by the Council.

15. Fees and allowances to members.—The Chairman and representatives of the Central and State Governments will draw travelling and daily allowances for attending the meetings of the Council or of its Committees from the respective Governments in accordance with the rules of those Governments. All other members of the Council will be paid travelling and daily allowances by the State Government for attending the meetings of the Council or of its Committees at the rate admissible to a Government Officer the first grade in accordance with the relevant rules.

(2) Where the Chairman is not a Minister, Member of Council acting as Chairman will draw travelling and daily allowance from the Government which he represents at the rate admissible to the Government Officer of the first grade in accordance with the relevant rules.

16. Authentication of acts and proceedings.—All acts and proceedings of the Council shall be authenticated by the Chairman, or with the approval of the Chairman, by the Secretary.

(2) The Secretary shall carry out the decisions of the Council.

17. Headquarter of the Council.—Headquarter of the Council shall be at Simla.

ANANG PAL,
Secretary.

PUBLIC WORKS DEPARTMENT

CORRIGENDUM

Simla-171002, the 4th March, 1976

No. 1-73/73-PW-'A'.—Please Substitute the following as desirable qualification against Rule 7 in Annexure I of this Government notification of even number, dated the 29th January, 1976.

“Desirable.—The candidate should possess the knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh”.

Commissioner and Secretary.

REVENUE DEPARTMENT NOTIFICATIONS

Simla-2, the 31st March, 1976

No. 2-14/71-Rev. I.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following amendments in the Recruitment and Promotion (Class III except Superintendents) Rules, 1974, of the office of Divisional Commissioner, Himachal Pradesh, notified *vide* this Department notification of even number dated the 28th January, 1975, as under:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Divisional Commissioner's Office, Recruitment and Promotion Class III (except Superintendents) (First Amendment) Rules, 1976.

(2) These shall come into force from the date of issue of the notification.

2. Amendment of Rule 7.—After Rule 7(5), for the existing first proviso, the following proviso shall be substituted:—

“Provided that the knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in peculiar conditions prevailing in Himachal Pradesh shall be an essential qualification for the purposes of eligibility to the posts in service.”

3. Amendment of Rule 8.—(i) In Rule 8(1) and 8(2), for the figure and words, “5 years service”, the figure and words, “5 years regular or *ad hoc* service or both” shall be substituted.

(ii) After Rule 8(2), following proviso shall be added:—

“Provided that in all cases where a junior official becomes eligible for consideration by virtue of his total length of service (including the *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior officials in the field of consideration.”

Simla-2, the 31st March, 1976

No. 2-14/71-Rev. I.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the H.P. Public Service Commission (in respect of amendments in Col. 3, 4 and 12 only), is pleased to make the following amendments in the Recruitment and Promotion (Superintendents Class III) Rules of the office of Divisional Commissioner, H.P., notified *vide* this Department Notification of even number dated the 27th January, 1975:—

1. Short title and commencement.—(i) These rules may be called the H.P. Divisional Commissioner's office, Class II (Superintendents) (First Amendment) Rules, 1976.

(ii) These shall come into force from the date of issue of this notification.

2. Amendment of the Annexure.—For the existing entries in column 3 against item Nos. 3, 4, 7, 11 and 12, the following entries shall be substituted, namely:—

Item No. Revised provisions

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-171002, the 23rd March, 1976

3. Class II (Gazetted).
4. Rs. 450—800.
7. (i) Degree of a recognised University or its equivalent.
- (ii) Five years experience in office administration.
- (iii) *Desirable*.—Knowledge of customs, manners and dialects of H.P. and suitability for appointment in peculiar conditions prevailing in H.P.
11. (i) By promotion from amongst the Assistants/Personal Assistant with six years of regular or *ad hoc* service or both in the grade. For purpose of promotion, a combined seniority list of Assistants/Personal Assistant will be prepared on the basis of date of appointment in the grade.
- (ii) In all cases where a junior official becomes eligible for consideration by virtue of his total length of service including the *ad hoc* one in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior official in the field of consideration.
12. D.P.C. to be presided over by the Chairman of the H.P. Public Service Commission or a Member thereof to be nominated by him.

By order.
P. K. MATTOO,
Secretary.

No. 5-41/72-TPT.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following rules to amend/substitute in the Recruitment and Promotion Rules, 1973, to Himachal Pradesh, Motor Vehicles Department Class-III Services, notified *vide* this Government notification No. 5-41/72-TPT., dated 10-12-1973:—

1. *Short title and commencement*.—(i) These rules may be called the Himachal Pradesh, Motor Vehicles Department, Class-III Service (Recruitment, Promotion and certain Conditions of Service) (1st Amendments) Rules, 1975.

(ii) They shall come into force *w.e.f.* the date of issue of this notification.

2. *Educational and Technical qualifications for direct recruits*.—At the end of sub-para (4), (5), (6) (7) and (8) of para 7 of the H.P. Motor Vehicles Department, Class-III Services (Recruitment, Promotion and Certain Conditions of Service) Rules, 1973 following note shall be added:—

“*Desirable*.—Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Himachal Pradesh”.

GANGESH MISRA,
Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड ग्रौर टाउन एरिया तथा पंचायत विभाग

पंचायत समिति चुराह (तीमा)

तीमा 24 अप्रैल, 1976

नं० 102 (1).—पंचायत समिति चुराह (तीमा) ने अपनी 2-1-1976 की बैठक जो श्री जयदयाल की अध्यक्षता में सम्पन्न हुई निम्नलिखित उपविधियां हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 की धारा 102 (1) के अन्तर्गत बनाई।

पंचायत समिति की निम्न स्थाई समितियां होंगी:—

- (क) वित्त तथा कराधान की स्थाई समिति नं० (1)
- (ख) कृषि उत्पादन, पशु पालन, लघु मिर्चाई, शक्ति, यातायात तथा निर्माण कार्य के लिए स्थाई समिति नं० (2)
- (ग) शिक्षा, समाज कल्याण, सार्वजनिक स्वास्थ्य और सफाई जिसमें ग्रामीण पानी सप्लाई भी सम्मिलित, सहकारिता तथा गृह निर्माण के लिए स्थाई समिति नं० (3)

1 (2) स्थाई समिति नं० 1 इस प्रकार होगी।

- (क) अध्यक्ष .. अध्यक्ष पंचायत समिति
- (ख) सचिव .. कार्यकारी अधिकारी पंचायत समिति

(ग) सदस्य समिति के अध्यक्ष द्वारा स्वीकृत सम्प्रतिष्ठाई समिति के अध्यक्ष द्वारा मनोनीत नौ सदस्य (अध्यक्ष के अनतिरिक्त)।

1 (3) स्थाई समिति नं० 2 इस प्रकार रचित होगी:

- (क) अध्यक्ष .. अध्यक्ष पंचायत समिति
- (ख) सचिव .. कृषि विस्तार अधिकारी या जूनियर इंजिनियर या विस्तार अधिकारी उद्योग।

(ग) सदस्य .. पंचायत समिति के अध्यक्ष द्वारा पूर्व स्वीकृत और उक्त स्थाई समिति के अध्यक्ष द्वारा मनोनीत अधिकतम नौ सदस्य।

1 (4) स्थाई समिति नं० 3 की रचना इस प्रकार होगी:

- (क) अध्यक्ष पंचायत समिति द्वारा चुना जाएगा।
- (ख) सचिव समाज शिक्षा एवं पंचायत अधिकारी या विस्तार अधिकारी सहकारिता।

(ग) सदस्य: अध्यक्ष समिति द्वारा पूर्व स्वीकृत और उक्त स्थाई समिति के अध्यक्ष द्वारा मनोनीत नौ सदस्य ।

- 1 (5) कोई भी समिति सदस्य एक से अधिक स्थाई समिति का सदस्य न बन सकेगा ।
- 1 (6) प्रत्येक स्थाई समिति में न्यूनतम एक अनुसूचित जातीय सदस्य होगा ।
- 1 (7) प्रत्येक स्थाई समिति नं० 2 और 3 में एक-एक महिला सदस्य होगी ।
- 1 (8) स्थाई समितियों के अध्यक्ष तथा सदस्यों का कार्यकाल एक वर्ष होगा । उस के तुरन्त पश्चात् एक नये अध्यक्ष तथा सदस्य नियुक्त होंगे । पुराने सदस्य की पुनः नियुक्ति पर कोई प्रतिबन्ध न होगा ।

2. समिति के पूर्णगठन के तुरन्त पश्चात् समिति के प्राथमिक, सहविकल्पित पदेन सदस्यों की पंचायत समिति कार्यालय में सूचना द्वारा सूचित तिथि तथा समय पर ऐसे सदस्यों का जो स्थाई समितियों के सदस्य बनाने हैं, के चुनाव नियुक्तियों के लिए अध्यक्ष पंचायत समिति बैठक बुलाएगा । सदस्यों की बैठक की तिथि तथा स्थान की सूचना डाक एवं विशेष संदेश वाहक द्वारा बैठक की तिथि से न्यूनतम पूरे 10 दिन पूर्व भेजी जावेगी ।

4. बैठक का सभापतित्व समिति के अध्यक्ष या उनकी अनुपस्थिति में उपाध्यक्ष द्वारा किया जायेगा ।
5. सभापति बैठक में संख्या, समिति के मन देने का अधिकार रखने वाले कुल सदस्यों की संख्या का तीसरा भाग बनेगा और विशेष बैठक में उनका आधा भाग बनेगा ।
6. समिति अध्यक्ष उपस्थित सदस्यों को स्थाई समिति 3 के अध्यक्ष के लिए नाम प्रस्तावित और अनुमोदित करने को कहेंगे । यदि एक ही नाम प्रस्तावित तथा अनुमोदित हो तो स्थाई समिति नं० 3 का अध्यक्ष वही चुना गया समझा जाएगा । यदि एक से अधिक नाम प्रस्तावित एवं अनुमोदित हों तो अध्यक्ष समिति, प्राथमिक तथा सहविकल्पित सदस्यों को कहेंगे कि वे हाथ उठाकर प्राथमिकता दे और वे प्रस्तावित सदस्य जिनको सर्वाधिक प्राथमिकता मिलेगी, वही स्थाई समिति नं० 3 का अध्यक्ष चुना गया समझा जायेगा यदि 2 ऐसे सदस्यों में बराबर की प्राथमिकता हो तो अध्यक्ष समिति भाग्य द्वारा निर्णय करेगा ।
7. यदि स्थाई समिति के अध्यक्ष अथवा सदस्य का स्थान मृत्यु, त्याग पत्र या किसी अन्य कारण से रिक्त हो जाता है तो नया सदस्य या अध्यक्ष जैसा भी हो, का मनोनयन । समिति का सभापति सम्बन्धित समिति के सदस्यों के विचार विमर्श से करेगा ।
8. प्रत्येक स्थाई समिति उन शक्तियों का प्रयोग तथा कर्तव्यों का पालन करेगी जो अधिनियम नं० 1 में दी गई है ।

9. (क) स्थाई समिति दो मास में न्यूनतम एक बार बैठक करेगी ।

(ख) बैठक समिति कार्यालय में होगी ।

(ग) बैठक की तिथि तथा समय स्थाई समिति के अध्यक्ष द्वारा निश्चित किया जाएगा ।

(घ) बैठक की कार्य सूची स्थाई समिति के सचिव द्वारा समिति के अध्यक्ष की अनुमति में तैयार की जाएगी ।

10. स्थाई समिति के बहुमत के लिखित मांग करने पर, ऐसी मांग के एक सप्ताह के भीतर किसी समय भी, पंचायत समिति का अध्यक्ष, उक्त स्थाई समिति की विशेष बैठक बुलाएगा । यह बैठक उसी कार्यक्रम के लिए बुलाई जाएगी जिसका वर्णन बहुमत की लिखित मांग में होगी । यह विशेष बैठक अध्यक्ष पंचायत समिति अपने तौर पर बुला सकेगा ।

11. स्थाई समिति की प्रत्येक बैठक उसके अध्यक्ष की अध्यक्षता में होगी । अध्यक्ष की अनुपस्थिति में उपस्थित सदस्य अपने में से एक सदस्य को उक्त बैठक के लिए सभापति चुन लेंगे ।

12. जब तक कि स्थाई समिति की बैठक में पूरक संख्या न होगी तब तक कोई कार्य न हो सकेगा ।

13. कार्यसूची की किसी बात पर स्थाई समिति में यदि मतभेद हो तो बहुसंख्या का मत मान्य होगा । मतों की बराबरी होने पर सभापति को एक अतिरिक्त या निर्णायक मत देने का अधिकार होगा ।

14. सम्बन्ध तथा पदेन सदस्यों को मन देने का अधिकार नहीं होगा, परन्तु वे विचार विमर्श में भाग ले सकेंगे ।

15. प्रत्येक कार्य जो स्थाई समिति द्वारा निपटाया जा सकता हो, सम्बन्धित स्थाई समिति द्वारा इस पर विचार कर लेना होगा । यदि उसमें बित्त बाँधित हो तो स्थाई समिति नं० 1 द्वारा उसका निर्णय होगा । दो या अधिक स्थाई समितियों में मतभेद की दशा में कार्यकारी अधिकारी इसको आगामी समिति बैठक में प्रस्तुत करेगा ।

16. स्थाई समितियों की बैठकों की अध्यक्षता अध्यक्ष या उप-अध्यक्ष करेंगे और उनकी अनुपस्थिति में, उपस्थित सदस्यों में से उन्हीं द्वारा चुना गया सदस्य करेगा । दो अथवा अधिक स्थाई समितियों में यदि प्रतिस्पर्धा प्रस्ताव पाम किए हों और संयुक्त बैठक में ऐसे प्रस्तावों को कोई निर्णय न हो सके तो कार्यकारी अधिकारी समिति या समिति अध्यक्ष के समक्ष रखेगा और ऐसे विषयों को अनिर्णित रखते हुए अन्य विषयों पर कार्यवाही कराएगा ।

18. प्रत्येक स्थाई समिति अपने अन्तर्गत विषयों पर कार्य करने और अपने प्रस्तावों को कार्यरूप देने में पंचायत समिति के कर्मचारी वर्ग की सहायता ले सकती है ।

19. पंचायत समिति द्वारा उपरोक्त उपविधियों में जुटाए गए न्यून अधिक संशोधन के साथ स्थाई समितियों पर भी लागू होंगे ।

20. (क) स्थाई समिति की बैठक की कार्यवाही सम्बन्धित सचिव द्वारा कार्यवाही पुस्तिका में लिखी जाएगी और बैठक के तुरन्त बाद अध्यक्ष उस पर हस्ताक्षर करेगा ।

यदि किसी कारण वश ऐसे न हो सके तो बैठक के पञ्चान उमी दिन ऐसा करेगा ।

- (ख) स्थाई समितियों की संयुक्त बैठक के लिए पृथक कार्यवाही पुस्तिका रखी जाएगी जो कार्यकारी अधिकारी रखेगा और कार्यवाही पर अध्यक्ष के हस्ताक्षर बैठक के तुरन्त बाद होंगे । यदि ऐसा किसी कारणवश सम्भव न हो तो बैठक के पञ्चान उमी दिन करेगा ।

- 21 (1) यह कार्यकारी अधिकारी पंचायत समिति का कर्तव्य होगा कि वह स्थाई समिति द्वारा पृथक या संयुक्त रूप से लिए गए सभी निर्णय पंचायत समिति की आगामी शीघ्र होने वाली बैठक में निम्न प्रमाण पत्रों सहित रखेगा ।

(क) स्थाई समिति या समितियों, जैसा भी हो, के अधिकार योग्यता में है ।

(ख) सूचनार्थ अथवा आज्ञार्थ है ।

(ग) अमान्य किया जाए क्योंकि यह विधि, नियम, नरकारी आदेश या नीतियों के विरुद्ध है ।

- 21 (2) यदि कोई निर्णय स्थाई समिति, समितियों के अधिकार क्षेत्र से बाहर लिया गया हो तो पंचायत समिति—

(क) अपनी स्वीकृति प्रदान कर सकती है । यदि निर्णय उसके अधिकार क्षेत्र में हो ।

(ख) सक्षम प्राधिकारी की स्वीकृति के लिए प्रेषित कर सकती है ।

- 21 (3) यदि निर्णय स्थाई समिति, समितियों के अधिकार क्षेत्र में हो या तो पंचायत समिति इसे सूचनार्थ नोट करेगी और आपत्ति नहीं उठा सकेगी ।

- 21 (4) उच्चतर प्राधिकार पर पंचायत समिति की आज्ञा से कोई निर्णय लेना हो तो वह कार्य संचालन नियमों के अनुसार समझा जाएगा और यदि वह पंचायत समिति के अधिकार क्षेत्र में होगा तो इस पर निर्णय न लिया जाएगा । यदि विषय ऐसा हो जिस पर सक्षम प्राधिकारी की अनुमति की आवश्यकता हो तो पंचायत समिति उचित अभिशंकाओं सहित उच्च प्राधिकारी को प्रेषित करेगी ।

- 21 (5) उपरोक्त (1) एक में दिये कारणों से यदि पंचायत समिति किसी विषय पर निर्णय न ले सके तो यह कार्यकारी अधिकारी का कर्तव्य होगा कि वह वारा 102 के अधीन कार्यवाही की प्रतिलिपि जिला आयुक्त को ऐसी कार्यवाही करने के लिए प्रेषित करे जैसा कि वह उचित समझे ।

22. आपतकाल स्थिति में अध्यक्ष पंचायत समिति विषय की सीधा पंचायत समिति के समक्ष रखने को कह सकता है यदि उस विषय को स्थाई समितियों के समक्ष उप-विधियों के अनुसार रखे जाने का समय न हो ।

23. यदि स्थाई समितियों का कोई सदस्य (अध्यक्ष के अतिरिक्त) निरंतर चार बैठकों में भाग न ले सके तो वह इस स्थाई समिति का सदस्य नहीं रहेगा और यह विषय शीघ्र आगामी पंचायत समिति की बैठक में प्रस्तुत किया जाएगा । समिति उस सदस्य की सदस्यता को, यदि अनुपस्थिति के बारे में सशक्त कारण हों, तो पुनः स्थापित करेगी ।

घोषणा पत्र नं० 1 पंचायत समिति की स्थाई समितियों की शक्तियां तथा कर्तव्य :-

क्रम संख्या	स्थायी समिति	शक्तियां तथा कर्तव्य
1	2	3
1.	1 स्थाई समिति नं० 1	1. नौकरियों की उत्पत्ति । 2. बजट तैयार करना । 3. खण्ड में कर्मचारीगण की स्थिति का पुननिरीक्षण । 4. घोषणा पत्रों का प्रेषित करना तथा हिसाब किताब का रखना । 5. पुन निरीक्षित तथा पूरक बजट तैयार करना । 6. प्रत्येक वित्तीय वर्ष की आय और व्यय का हिसाब रखना । 7. कर प्रस्तावों की व्यवस्था करना (बनाना) । 8. करों में कमी समाप्ती क्षमा या छूट वारे प्रस्ताव करना । 9. फीसों की प्राप्ति तथा मेलों के प्रबन्ध को ठेके पर देना । 10. फीसों तथा करों आदि की प्राप्ति । 11. कर्जों की स्वीकृति देना । 12. कर्जों की वापसी का निरीक्षण करना । 13. पंचायतों के हिसाब-किताब तथा बजट का निरीक्षण करना । 14. पंचायतों को उनके बजट एवं योजनाएं बनाने में सहायता करना । 15. भूमि एवं अचल सम्पत्ति का अभिग्रहण करना । 16. सम्बन्धित नियमों में प्रावधान की सीमाओं के अन्दर वित्तीय स्वीकृति देना ।

1	2	3	1	2	3
		17. बीमा एवं लघु वचत द्वारा वचत की प्रवृत्ति को प्रोत्साहन देना ।			सम्पत्ति (चल-अचल) का प्रबन्ध करना ।
		18. ग्राम पंचायतों को उनकी विकास योजनाओं को कार्यान्वित करने के लिए, जिन्हें करने में वह असमर्थ हो वित्तीय सहायता की सीमा बारे निर्णय लेना एवं तकनीकी सहायता दिलाने का प्रबन्ध करना [धारा 101 (1)] ।			7. ऐसी किसी समिति के निर्माण, साधारण अथवा सुधार जो पंचायत समिति के नियंत्रण या प्रबन्ध में हों बारे ग्राम पंचायत को स्थानान्तरण करने पर निर्णय लेना [धारा 101 (2) (1)] ।
		19. पंचायत समिति द्वारा समय समय पर स्थाई समिति को दिए गए शक्तियों एवं कार्यों को कार्यान्वित करना ।			8. दत्त विषयों में से कौन सा विषय ग्राम पंचायत को स्थानान्तरित करना है के बारे निर्णय लेना [धारा 101 (2) (1)] ।
					9. पंचायत समिति द्वारा समय समय पर स्थाई समिति को दी गई शक्तियों एवं कृत्य कार्यों को कार्यान्वित करना ।
2. स्थाई समिति नं० 2	1. खाना नं० 1 में वर्णित विषयों बारे सम्बन्धित अधिकारियों द्वारा निमित्त योजनाओं पर विचार करना तथा संशोधन सहित अथवा बिना संशोधन उन्हें अनुमति प्रदान करना ।		3 स्थाई समिति नं० 3		
खाना नं० 2			कृपया देखें धारा 89 (1)		
			3. स्वास्थ्य एवं देहांत की साफाई ।		1. खाना नं० 2 में वर्णित विषयों बारे सम्बन्धित अधिकारियों द्वारा निमित्त योजनाओं पर विचार करना तथा संशोधन सहित अथवा बिना संशोधन उन्हें अनुमति प्रदान करना ।
			5 सामाजिक शिक्षा		2. दत्त विषयों बारे योजनाओं को स्वीकृत करना । यदि उक्त योजनाओं में बांछित राशि स्थाई समिति के अधिकार क्षेत्र में हो और उसका आवश्यक प्रावधान हो ।
			6. सहकारिता		3. स्थाई समिति को दत्त विषयों के बारे सारी योजनाओं के कार्यान्वयन का पर्यवेक्षण करना ।
			7. विविध केवल (1) (10) (12) (14) से (16)		4. दत्त विषयों बारे योजनाओं के कार्यान्वयन के लिए मानव शक्ति स्रोतों को गतिशील करना तथा स्वैच्छिक दान द्वारा धनराशि जुटाना ।
1. कृषि	3. समिति को दिए गए विषयों बारे सारी योजनाओं के कार्यान्वयन का पर्यवेक्षण करना ।				5. दत्त विषयों बारे योजनाओं, जिन के कार्यान्वयन का उत्तरदायित्व पंचायत समिति द्वारा पंचायतों को दिया गया है, का पर्यवेक्षण करना ।
2. पशुपालन तथा मछली पालन ।	4. दिए गए विषयों बारे योजनाओं के कार्यान्वयन के लिए मानव शक्ति स्रोतों को गतिशील करना तथा स्वैच्छिक दान द्वारा धनराशि जुटाना ।				
4 यातायात	5. दत्त विषयों बारे योजनाओं जिनके कार्यान्वयन का उत्तरदायित्व पंचायत समिति द्वारा पंचायतों को दिया गया है, का पर्यवेक्षण करना ।				
7 विविध केवल (2) से (10) तक	6. पंचायत समिति की पूर्ण				

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द्वारा पंचायतों को स्थानान्तरित किया गया है, पर्यवेक्षण करना।

6. दत्त विषयों में से कौन सा विषय ग्राम पंचायतों को स्थानान्तरित करना है, के बारे निर्णय लेना [धारा 101 (2) (1)]।

7. पंचायत समिति द्वारा समय समय पर स्थाई समिति को दी गई शक्तियों एवं कृत्य कार्यों को कार्यान्वित करना।

4. संयुक्त स्थाई समिति नं० 1 तथा 2-1

1. स्थाई समिति 2 की दत्त विषयों के बारे योजनाओं की स्वीकृति देना जो उसके अधिकार क्षेत्र के बाहर की हों, यदि—

(क) योजनाएं पंचायत समिति के अधिकार क्षेत्र में हों,

(ख) और उसके लिए वित्तीय प्रावधान हो।

2. स्थाई समिति 2 को दत्त विषयों बारे जो पंचायत समिति के अधिकार क्षेत्र में हों पंचायत समिति समक्ष रखने से पूर्व जिला परिषद या सरकार की स्वीकृति वांछित हो पर विचार करना।

5. संयुक्त स्थाई समिति 1 तथा 2-1

1. स्थाई समिति 3 को दत्त विषयों के बारे योजनाओं की स्वीकृति देना जो उसके अधिकार क्षेत्र के बाहर की हों, यदि—

(क) योजनाएं पंचायत समिति के अधिकार क्षेत्र में हों,

(ख) और उसके लिए वित्तीय प्रावधान हो।

2. स्थाई समिति 3 को दत्त विषयों बारे जो पंचायत समिति के अधिकार क्षेत्र में न हों एवं पंचायत समिति के समक्ष रखने से पूर्व जिला

परिषद् या सरकार की स्वीकृति वांछित हो, पर विचार करना।

6. सभी स्थाई समितियों के लिए सामान्य।

1. ऐसी सभी शक्तियां तथा कृत्य कार्य जो जिला परिषद् में पंचायत समिति को सौंपे हों और उस में भाग स्थाई समिति को सौंप दिए हों।

2. विषयों के बारे रिकार्ड, रिपोर्ट एवं सूचना मंगवाना।

3. ग्राम कार्यकर्ताओं से दत्त विषयों के बारे रिकार्ड रिपोर्ट, सूचनाएं मंगवाना।

4. उपविधियां बनाना।

5. दत्त विषयों सम्बन्धी योजनाओं में से कोई योजना कार्यान्वयन के लिए ग्राम पंचायत को हस्तान्तरित करने की शक्ति।

6. अधिकारियों को समिति की बैठक में भाग लेने के लिए बुलाना (बारा 95)।

7. संयुक्त सभी स्थाई समितियां।

1. खण्ड विकास योजनाएं तैयार करने तथा स्वीकृत करना।

2. 3 स्थाई समितियों को दत्त विषयों सम्बन्धित योजनाओं में समन्वयन।

धारा 102 (1) तथा 102 (2)

पंचायत समिति अपने कार्य सम्पादन के प्रत्येक 2 मास के बाद माधारण बैठक बुलाएगी। यह बैठक पंचायत समिति के कार्यालय में होगी। तिथि समय तथा कार्यसूची का नोटिस प्रत्येक सदस्य को पूरे 10 दिन पूर्व अध्यक्ष व उसकी अनुपस्थिति में उप-अध्यक्ष प्रेषित करेगा। और इस माधन से जो भी उचित समझे (धारा 79 तथा 80) विशेष बैठक के लिए न्यूनतम पूरे चार दिन पूर्व नोटिस देना होगा। इसी प्रकार स्थगित बैठकों

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		के लिए भी नोटिस जारी करने होंगे ।	धारा 102(8)		(क) पंचायत समिति अध्यक्ष स्थाई समिति की बैठक जिसमें ऐसी मुविवा पर विचार हो रहा हो जिसमें किसी सदस्य की आर्थिक रुची हो वह सदस्य विशेष उस बैठक में बैठ तो सकेगा परन्तु विचार विमर्श में भाग नहीं ले सकेगा ।
धारा 102(3)		कार्यकारी अधिकारी समिति की कार्यवाही उसी समय कार्यवाही पुस्तिका में लिखेगा और अन्त में अध्यक्ष के हस्ताक्षर करवाएगा । यदि किसी कारणवश ऐसा सम्भव न हो तो बैठक के बाद उसी दिन कार्यवाही पुस्तिका में लिखेगा और आगामी बैठक में पिछली कार्यवाही के पुष्टिकरण के पश्चात हस्ताक्षर करवाएगा ।			(ख) अध्यक्ष या उनकी अनुपस्थिति में उपाध्यक्ष कार्यवाही का संचालन करेंगे । सदस्यों के अतिरिक्त सभापति किसी अन्य जन-साधारण को भाग लेने की स्वीकृति दे सकता है यदि वह विचार विमर्श में भाग ले या कोई गड़बड़ करे तो उसे सभापति बैठक में बाहर निकल जाने को कह सकता है । किसी सदस्य में बाद विवाद की मूलतः में सभापति मत देने का अधिकार रखने वाले सदस्यों को हाथ उठा कर प्राथमिकता के आधार पर सभापति निर्णय देगा । यदि बराबर की प्राथमिकता हो तो सभापति अपने अतिरिक्त निर्णायक मत के प्रयोग का अधिकारी होगा ।
धारा 102(4)		कार्यवाही की प्रतिलिपियों पर ही सामान्य मुद्रा का प्रयोग हो सकेगा और यह कार्यकारी अधिकारी की सुरक्षा में रहेगी ।			(ग) अध्यक्ष/कार्यकारी अधिकारी दो रुपये आगामी फीस प्राप्त करके प्रत्येक मत अधिकारी समिति सदस्य को और पांच रुपये आगामी फीस लेकर गैर सदस्य को कार्यवाही पुस्तिका के निरीक्षण की अनुमति दे सकेगा । प्रतिलिपि दो रुपये प्रति सफा या आंशिक भाग के हिसाब से मत अधिकारी सदस्य तथा गैर सदस्य को दे सकेगा ।
धारा 102(5)		इस अधिनियम के अन्तर्गत कार्यकारी अधिकारी अपने हस्ताक्षरों से प्राप्तियों की रसीदें पंचायत समिति की ओर से जारी करेगा । वह अपने अपने मुख्य लिपिक, लेखापाल या टैक्स कोलैक्टर को उनको स्थान पर पर ऐसा करने का अधिकार दे सकेगा ।			
धारा 102(6)		जनसाधारण समिति के रजिस्टर, दस्तावेज, प्रस्ताव, दो रुपये आगामी फीस देकर निरीक्षण कर सकेगा और नक्शे तथा योजना निरीक्षण के लिए पांच रुपये आगामी फीस जमा करवानी होगी । इस निरीक्षण की अनुमति अध्यक्ष समिति से लेनी होगी । प्रतिलिपि दो रुपये प्रति सफा या उसका आंशिक भाग फीस देकर प्राप्त की जा सकती है ।			
धारा 102(7)		पंचायत समिति की बैठक में पूरे संख्या धारा 84 के अनुसार होगी ।	धारा 102(9)		धारा 128 के अन्तर्गत शुल्क, पथकर एकत्रित करने का अधिकार कार्यकारी अधि-

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कारि को होगा जो इस काम को ठेके पर भी दे सकेगा यह ठेका पांच परसेंट पर होगा। मेले के प्रबन्ध का अधिकार भी कार्यकारी अधिकारी को होगा। परन्तु ऐसा कोई कार्य करने के पश्चात् पंचायत पंचायत समिति की प्रागामी शीघ्र होने वाली बैठक में कार्यकारी अधिकारी इसे प्रस्तुत करके इसकी स्वीकृति समिति से प्राप्त करेगा। धारा 129 के अन्तर्गत कार्यवाही करने का अधिकार अधिकारी को होगा।

धारा 102(11)

विकास खण्ड की सीमा में जो मेले लगते हैं या कृषि, उद्योग प्रदर्शनियां लगाई जा जाती हैं उनका प्रबन्ध विकास खण्ड और से किया जा सकता है। दुकानदारों पर कर भी लगाए जा सकते हैं। जो समय समय पर निर्धारित किए जाएंगे। मेले के स्थान की स्वच्छता, सफाई, पानी मप्लाई, टटियों आदि के प्रावधान का उत्तरदायित्व समिति पर होगा। यदि वह ऐसे उक्त मेला में दुकानदारों पर कर लगाए।

धारा 102(12)

इस अधिनियम के अधीन लगाए गए स्थानीय करों, उपकरों तथा शुल्कों का शेष तथा धारा 128 के अधीन ठेकेदारों को सौंपे गए शुल्कों तथा पथकरों की प्राप्ति का वकाया मालगुजारी के वकाए के रूप में प्राप्त किया जा सकेगा (धारा 129) तथा मांग राशियों की प्राप्ति धारा 109 के अधीन प्राप्त की जा सकेंगी।

धारा 102(13)

पंचायत समिति निम्न कार्य पर सरकार की स्वीकृति से फीस लगा सकती है जो उसके

सामन्ते लिखी गई है तथा लाईसेंस दे सकती है:—

1. करयाना, हलवाई तथा अन्य खाने पीने की चीजों की दुकान पर:
- (क) परचून—10 रुपये वार्षिक
- (ख) थोक—30 रुपये वार्षिक
2. मीट (मांस) की दुकान—30 रुपये वार्षिक।
3. प्रति टांगा तथा ठेला—7 रुपये वार्षिक।
4. कॉन्निंग लाईसेन्स टांगा—5 रुपये वार्षिक।
5. साईकल पर—4 रुपये वार्षिक।
6. पेशकर—धारा 130 के अन्तर्गत हिमाचल प्रवेश सरकार को पेशा टैक्स लगाने की स्वीकृति देने के लिए लिखा जाएगा।
7. लड़के का विवाह या जन्म—5 रुपये वार्षिक।
8. लड़की का विवाह या जन्म—2 रुपये वार्षिक।

नोट:—अनुसूचित जातिय या जनजातिय से आधा लिया जाएगा (केवल 7 और 8 में)।

उक्त कर की क्षमा के लिए पंचायत समिति को अपील करनी होगी।

धारा 102(14)

धारा 98 में वर्णित कर्तव्य के पालन के लिए देखभाल प्रबन्ध आदि कार्यकारी अधिकारी करेगा।

धारा 102(15)

धारा 105 से 108 तक के अधीन कार्यवाही अधिकारी करेगा।

धारा 102(16)

पशुओं की मण्डी में प्रबन्ध पंचायत समिति करेगी और वहां की सफाई आदि का प्रबन्ध भी करेगी और प्रत्येक पशु की बिन्नी पर निम्न कर लगाएगी।

1. प्रत्येक पशु पर एक रूपया दाखला फीस होगी।
2. बैल—5 प्रतिशत

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3. भैंस—5 प्रतिशत

4. भेड़—5 प्रतिशत

5. बकरी आदि पशुओं पर यह कर बेचने वाले से 5 प्रतिशत की दर से प्राप्त किया जाएगा। कीमत छपाने वाले को इसका 11 गुणा देना पड़ेगा।

(ख) प्रबन्ध के लिए कार्यकारी अधिकारी आवश्यक नियुक्तियाँ करेगा।

धारा 102(17)

बिना लाइसेंस प्राप्ति के कोई भी दुकानदार साधारण अथवा मेलों में खादय तथा पेय वस्तुओं की बिक्री नहीं कर सकेगा। प्रत्येक दुकानदार पर उसकी दुकान के आधार पर एक से पांच रुपये तक में ला फीस लगाई जा सकेगी। यदि बिना लाइसेंस और फीस बिक्री करेगा तो उसे 100 रुपये दण्ड देना होगा और न देने की सूरत में कार्यकारी अधिकारी मैजिस्ट्रेट प्रथम श्रेणी की अदालत में मुकदमा चलाएगा।

धारा 102(18)

फीस प्राप्त कर कार्यकारी अधिकारी टांगों, ठेलों को चलाने के लिए लाइसेंस देगा। उनके अड़्डा के लिए पंचायत समिति प्रबन्ध करेगी। ऐसे टांगे, ठेले वालों को लाइसेंस दिया जाएगा जिनके टांगे ठीक हालत में होंगे और घोड़ों के स्वास्थ्य के बारे पशु चिकित्सक ठीक रिपोर्ट करेगा।

धारा 102(19)

खतरनाक भवनों तथा स्थानों का जो पंचायत समिति के क्षेत्र में हों को हटाने का या मुरम्मत करने का प्रबन्ध पंचायत समिति द्वारा निजी निधि में से किया जाएगा समिति के ऐसे किसी प्रस्तावानुसार कार्यकारी अधिकारी कार्यवाही करेगा यदि किसी स्थान या सम्पति

पर नाजायज अधिकार किसी ने किया हो तो समिति इसके बारे में अपने क्षेत्र के मैजिस्ट्रेट प्रथम श्रेणी को रिपोर्ट करेगी और यदि आवश्यक हुआ तो कार्यकारी अधिकारी समिति के पूर्व निर्णय से मुकदमा चलाएगा। [धारा 98(7) (5)]।

धारा 102(20)

पंचायत अपने क्षेत्र में चरागाह का प्रबन्ध करेगी।

धारा 102(21)

पशुओं, भेड़ों और बकरियों की नसल सुधारने के लिए और इनमें बीमारियों की रोकथाम के लिए अपने क्षेत्र में पशु चिकित्सक की सहायता से प्रबन्ध करेगी। यदि इस कार्य के लिए उन्नत पशु, भेड़, बकरी खरीदने तथा बीमारियों की रोकथाम के लिए दवाईयों की आवश्यकता पड़े तो समिति अपनी निजी निधि से व्यय कर सकेगी।

धारा 102(22)

जलाशयों की सफाई तथा साधारण नवीकरण तथा निर्माण के लिए पंचायत समिति अपने निजी निधि से पंचायतों की सहायता करेगी एवं तकनीकी सहायता का प्रबन्ध करेगी।

धारा 102(23)

शमशान घाट, कब्रगाहों के प्रबन्ध में समिति निजी निधि एवं तकनीकी सहायता से पंचायतों की सहायता कर सकेगी।

धारा 102 (24)

यदि गाड़ी (टांगा, ठेला आदि) का अड़्डा समिति बनाए तो वहां ठहरने के लिए समिति 10 पैसे प्रति गाड़ी प्रति फीस प्राप्त कर सकेगी जिसके लिए कर्मचारी नियुक्त करेगी या इसे ठेका पर दे देगी।

धारा 102(25)

मच्छरों को नष्ट करने एवं मलेरिया की रोकथाम के लिए समिति डाक्टरों की सहायता ले सकेगी। दवाईयों आदि की आवश्यकता अपने निजी निधि से पूरी कर सकेगी।

1	2	3	1	2	3
धारा 102(26)	चूहे, टिट्टियों, अन्य किटाणुओं, गीदड़ों, तोतों को मारने का प्रबन्ध पंचायत समिति अपने स्रोतों द्वारा करेगी और पागल कुत्तों को मरवाने का प्रबन्ध भी वह पशु चिकित्सक की सहायता से कर सकेगी। दवाई आदि की आवश्यकता पड़ने पर इसका प्रबन्ध भी करेगी तथा मरे कुत्तों को दवाने का प्रबन्ध सम्बन्धित पंचायत करेगी।		धारा 102(30)	पंचायत समिति अथवा उसके अधीन बनाई गई सहायक समिति सार्वजनिक स्थानों जैसे मैदान, जोहड़, सराए आदि और बेकरी, ढाबा, तन्दूर, धुम्र रहित चुल्हे, सोडावाटर की फैंक्टरी, बर्फ की फैंक्टरी, आटे की चक्की, अनाज के गोदाम, बधशालाएँ, धोबीघाट, मण्डी स्टालों का जो समिति के क्षेत्र में स्थित हो निरीक्षण करेगी और सुधार के लिए कह सकेगी। मालिक सुधारन करने की सूरत में संविदा सम्बन्धित उच्चाधिकारी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेज सकेगी।	
धारा 102(27)	पंचायत समिति अपने क्षेत्र की पंचायतों को आवश्यकता पड़ने पर लोगों के घरों में रोशनदान लगाने और सुधार करने के लिए जिससे क्षय रोग की रोकथाम हो सके कहेगी तथा निरीक्षण भी कर सकेगी।		धारा 102(31)	पंचायत समिति अस्तबल, गोशाला, भेड़ बकरियों और सुअरों के लिए गृह के बारे भी धारा 102(31) के समक्ष लिखी कार्यवाही कर सकेगी।	
धारा 102(28)	शारीरिक संबंधन को प्रोत्साहन देने के लिए समिति खेल के मैदान का प्रावधान स्वयं या पंचायतों से करवाएगी और खेलकूद प्रतियोगिताएं भी करवाएगी। नवयुवक मण्डलों को पंचायतों की आर्थिक स्थिति को देखते हुए पंचायतों द्वारा वित्तीय सहायता भी देगी।		धारा 102(32)	पंचायत समिति आवासीय भवनों का भी निरीक्षण कर सकेगी। निर्धन व्यक्तियों, जो छूत रोग से पीड़ित हों की सहायता अपने स्रोतों से कर सकेगी।	
धारा 102(29)	लावारिस पशुओं को, यदि ऐसे उपलब्ध हों पंचायत समिति स्वयं जूत कर सकेगी या सम्बन्धित पंचायत को ऐसा करने के लिए कहेगी। यदि एक मप्ताह के भीतर कोई मालिक मांग न करे तो इसे नीलाम करके रुपया समिति फण्ड में जमा करेगी। आर्थिक स्थिति को ध्यान में रखते हुए वह गो-मदन खोलने पर भी विचार कर सकेगी।		धारा 103	इन उपविधियों की उलंघना करने वाले के विरुद्ध पंचायत समिति धारा 103 के अधीन कार्यवाही करेगी।	

लक्ष्मन सिंह,
कार्यकारी अधिकारी,
पंचायत समिति, चुराह (तीसा)।

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

**In the Court of Shri N. S. Shandil, District Judge, Simla,
Bilaspur and Kinnaur Districts at Simla**

S.A. 9's/2 OF 1976

Shri Laiq Ram s/o Shri Paras Ram, resident of
Deothi, Tehsil Theog, District Simla.

2. Narain Dass s/o Shri Paras Ram, Village Deothi,
District Simla.

Versus

To

The General Public.

Shri Laiq Ram son of Shri Paras Ram, Narian
Dass son of Paras Ram Petitioners have filed a
petition under section 372 of the Indian Succession
Act, 1925 in this Court on 30-3-1976 for the grant
of Succession Certificate authorising them to realise
the amounts of the debts etc. in respect of late Shri
Paras Ram father of the petitioners.

Whereas the above-noted application has been register-
ed. Notice is hereby given to the general public,
that if any well wisher and kinsman of the deceased
has any objection to the grant of this succession
certificate sought by the petitioner he should file the
same in this Court on or before 1-6-1976 failing
which no objection shall be entertained.

Given under my hand and the seal of the court
this 19th day of May, 1976.

Seal.

N. S. SHANDIL,
District Judge, Simla.

**In the Court of Shri R. K. Mahajan, Senior Sub-Judge,
Solan District, Solan**

Smt. Narati Devi wd/o Shri Paras Ram son of Shri
Gobind Ram, resident of Solan Himachal Pradesh and
others .. Petitioner.

Versus

General Public.

**PETITION UNDER SECTION 372 OF INDIAN
SUCCESSION ACT FOR THE ISSUANCE OF
SUCCESSION CERTIFICATE**

To

The General Public.

Whereas in the above noted case Shrimati Narati
Devi wd/o Shri Paras Ram, 2. Shri Krishan Lal, 3. Shri
Ram Sarup, 4. Baldev sons of Shri Paras Ram and
5. Smt. Kamla daughter of Shri Paras Ram son of
Shri Gobind Ram resident of Solan petitioners has
applied for the grant of succession certificate autho-
rising them to realise the amount of debt etc. in
respect of late Shri Paras Ram son of Shri Govind Ram.

Whereas the above noted application has been
registered and is fixed for 2-6-1976. Notice is hereby
given to the General Public that if any well wisher and
kinsmen of the deceased has any objection to the

grant of this certificate sought by the petitioners, he
should file the same in this Court on or before 2-6-1976
failing which no objection shall be entertained.

Given under my hand and the seal of the Court this
17th day of May, 1976.

Seal.

R. K. MAHAJAN,
Senior Sub-Judge, Solan.

**In the Court of Shri R. K. Mahajan, Senior Sub-Judge,
Solan district, Solan**

Shri Mathi Ram son of Shri Rolu, resident of village
Gadsi Kookana, pargana Lachhdang, District
Solan .. Plaintiff.

Versus

Shri Devi Ram son of Shri Deep Ram, resident of
village Ghadsi Kookana, pargana Lachhrang, District
Solan and others .. Defendants.

SUIT FOR POSSESSION

To

1. Shrimati Tulsi widow of Shri Budh Ram, r/o
village Ghadsi Kookana, pargana Lachhrang,
Tehsil and District Solan.
2. Smt. Jampu daughter of Shri Budh Ram, r/o
village Gadsi Kookana, pargana Lachhdang
Tehsil and District Solan.

Whereas it has been proved to the entire satisfaction
of this Court that the defendants above-named cannot
be served in the normal course of service as the several
summons issued his name have come back unserved.

Now this proclamation under Order 5, Rule 20 of the
Cod of Civil Procedure is hereby issued in his name to
direct him to appear in this Court on 8-6-1976 failing
which an *ex parte* proceedings shall be taken against
him.

Given under my hand and the seal of the Court this
17th day of May, 1976.

Seal.

R. K. MAHAJAN,
Senior Sub-Judge, Solan.

**In the Court of Shri R. K. Mahajan, senior sub-Judge,
Solan district, Solan**

Shrimati Narda widow of Shri Mohan Lal, resident of
Ambar, Pargana Keontan II, Tehsil and District
Solan .. Petitioner.

Versus

The Genral Public.

Petition under section 8 of Hindu Minority and
Guardianship Act, for seeking possession for sale of pro-
perty of the minor Rajinder son of Mohan Lal.

To
The General Public.

Whereas Shrimati Narda widow of Shri Mohon Lal, has applied under section 8 of Hindu Minority and Guardianship Act for grant of permission alinate by way of sale the property namely 1/3 share of landed property comprised in khewat khatauni No. 2/5, number Khasra 59, 71, 66, 98/75, 65, 90/48, 24, 25, and 32, Kita 9 measuring 24-3 situated in village Kothi, Pargana Keontan II, 1/3rd of land comprised in khewat Khatauni 39/96, Khasra No. 505/458 measuring 3-9 Biswas in village Dhar and 1/9th of land comprised in khewat khatauni No. 40/97-98, khasra No. 482 min measuring Kita 2 measuring 42-4 biswas, situated in village Dhar Pargana Keontan II, Tehsil and District Solan, Himachal Pradesh regarding the share of Shri Rajinder s/o Shri Mohan Lal resident of Amber under the guardianship Shrimati Narda widow of Shri Mohan Lal resident of Amber, Pargana Keontan II, Tehsil and District Solan.

The 6th July, 1976 has been fixed for the hearing of the application and notice is hereby given to the respondent i. e. General Public that if any other relative, friends, kinsmen or well wishers of the aforesaid minor desired to oppose the said and application of the petitioner he should enter appearance in person in this Court on the aforesaid date and be prepared adduce on the day any documentry and oral vidence which he may desire to adduce in support of his claim to such permission.

Given under my hand and the seal of the Court this 17th day of May, 1976.

Seal. R. K. MAHAJAN,
Senior Sub-Judge, Solan.

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the Court of Shri Surendra Prakash, Senior Sub-Judge,
Kangra at Dharamsala, H. P.

CIVIL SUIT No. 23 OF 1975

Mahala, ..Plaintiff Vs. Ranjit Singh and others
..Defendants.

Versus:--1. Ranjit Singh son of Prithi Chand son of Bakhshi Ram, caste Rajput of Than Santla, Mauza Kaloha, Tehsil Dehra, District Kangra ..Defendant No. 1

Whereas the plaintiff Mahala has filed an suit in this court on 13-2-1975 against the defendants. In this behalf summons to defendant No. 1 were issued several times, but received back unserved. Now it has been proved to the satisfaction of this court that the defendant No. 1 Shri Ranjit Singh can not be served through ordinary way, hence this proclamation under 5, rule 20, C.P.C. is issued against him that he should attend this court on 15-6-1976 at 10 A. M. personally or through an authorised agent or pleader, failing which *ex parte* proceedings shall be taken against him.

Given under my hand and the seal of the court on 17-5-76.

Seal. SURENDRA PRAKASH,
Senior Sub-Judge,

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the Court of Senior Sub-Judge, Una, District Una, H.P.

CIVIL SUIT No. 574 OF 1972.

Kapoor Singh Vs. Rattan Chand.

Versus:--Rattan Chand s/o Shri Bhuna, caste Weaver, r/o Biru Kalan, Tappa Tihra at present School Teacher Government Middle School, Chambah Tappa Mewa, Tehsil Hamirpur ..Defendant.

Whereas in the above noted case, it has proved to the satisfaction of this Court that the above noted defendant is evading the service of the summons and cannot be served in the normal course of service. Hence this proclamation (publication) is hereby issued against him to appear in this court on the date fixed for hearing on 14-7-76 at 10 A.M. personally or through an authorised agent or pleader to defend the case. Failing which *ex parte* proceedings will be taken against him.

Given under my hand and seal of the court this day of 5-5-76.

Seal. Sd/-
Senior Sub-Judge,

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

In the Court of Shri M. R. Bhatti, Sub-Judge, 1st Class
Nalagarh, District Solan, H.P.

CIVIL SUIT No. 151/1 OF 1975

Sulekh Chand ..Plaintiff.

Versus

Kartar Singh etc. ...Defendants.

To

Shri Inder Sain s/o Piare Lal, 2. Babu Ram s/o Gujjar Mall s/o Chhanga Mull, 3. Smt. Purna Devi d/o Smt. Kalawati wd/o Jainti Prashad, 4. Smt. Ram Ratti wd/o Amar Nath s/o Gujjar Mall all r/o Nalagarh ..Defendants.

It has been proved to the satisfaction of this Court that above named defendants cannot be served in the normal course of service,

Hence this proclamation is hereby issued and the above named defendants are directed to appear in this court on 7.6.76 at 10 A.M. personally or through a pleader or an authorised agent. Failing which *ex parte* proceedings will be taken against the defendants.

Give under my hand and the seal of the Court this 18th day of May, 1976.

Seal.

M. R. BHATTI,
Sub-Judge, 1st Class,
Nalagarh.

इस्तहार

इस्तहार जेर आर्डर 5, रुल 20, सी0 पी0 सी0

आर्डर 5, रुल 20, सी0 पी0 सी0

बम्रदालत साहिब डिस्ट्रिक्ट जज बहादुर, हमीरपुर कैम्प ऊना

नं0 मुकदमा 5 एकट 3 बाबत सन् 1976

बम्रदालत श्री एस0 आर0 भारद्वाज, एसिस्टेंट कुलैक्टर, सैकण्ड ग्रेड, (नायव-तहसीलदार) नालागढ़, जिला सोलन, हिमाचल प्रदेश

वीर सिंह पुत्र मन्गनु, साकन राजपुरा, परगणा व तहसील नालागढ़
.. मायल ।

श्रीमती जै देवी पत्नी हरी विशनु, (2) रविन्द्र कुमार उमर 17 साल नावालगान, (3) देविन्द्र कुमार उमर 15 साल, (4) सतीश कुमार उमर 13 साल पुत्री, (5) शशी कुमार उमर 11 साल पुत्रीयां हरी विशनु, जात राजपूत, बासी टटेहड़ा, थाना गगरेट, तहसील अम्ब सायबान ।

बनाम

ग्राम जनता ।

जोकि जै देवी विधवा हरी विशनु ने दरखास्त हसूल सर्टिफिकेट जानशीनी बाबत रुपये 5,209-50 पैं0 अदालत हजा में पेश की है जो तारीख 16-2-76 को मंजूर हो कर दर्ज रजिस्टर हुई, लिहाजा बनावर आगाही बरादरान व कराबतशरान मुतवफ्फी इस्तहार हजा जारी किया जाता है कि जिस शख्स को निस्बत दरखास्त मजकूर उज्जरदारी करनी हो वह किवल अज तारीख 7-7-1976 कैम्प ऊना हाजिर अदालत हजा हो कर अपना उज्जर पेश करें वरना कोई उज्जर बाद इनकजाए 7-7-1976 तारीख मजकूरा समाअत न होगा ।

आल बतारीख 9-3-1976 बसवत हमारे दस्तखत और मोहर अदालत से जारी किया गया ।

मोहर ।

हस्ताक्षरित,
डिस्ट्रिक्ट जज, हमीरपुर ।

बनाम

1. वृज लाल पुत्र प्यारे लाल, साकन नालागढ़, 2. इन्दर सैन पुत्र प्यारे लाल, 3. श्रीमती पूरना देवी पुत्री जैन्ती दास, 4. श्रीमती कलावती विधवा जैन्ती दास, 5. श्रीमती राम रती विधवा अमर नाथ, 6. बाबू राम पुत्र गुजर मल, 7. बाल किशन पुत्र रघवीर सरन दाम, 8. राजिन्दर पाल पुत्र लछमी चन्द, 9. श्रीमती सुशीला देवी जौजा राजिन्दर पाल, साकन छरता नालागढ़िया देवी बाज्जार जगाधरी हरयाणा 10. महिन्दर पाल पुत्र लछमी चन्द नौकर विजली बोर्ड हरयाणा छछरोली, 11. जै भगवान पुत्र लाल चन्द, अग्रवाल होटल, लोअर बाजार, शिमला
.. मसूलअलम

दरखास्त वराये दरुस्ती इन्द्राज खाना काश्त रकबा अराजी तादादी 2 कनाल 5 मरले मुन्दरजा खसरा नं0 7/3/3, किता 1, मौजा राजपुरा, परगणा व तहसील नालागढ़, जिला सोलन ।

हरगाह मुकदमा उनवान बाला में अदालत हजा को यह यकीन हो गया है कि मसूलअलम उपरोक्त की तामील आसान तरीके से नहीं हो सकती । अतः मसूलअलम को बजरिया इस्तहार अखकारी सूचित किया जाता है कि वह तिथि 10-6-76 बवक्त 10 बजे सुबह हाजिर अदालत हजा में आकर असालतन या बकालतन पैरवी मुकदमा करें । अन्यथा उनके खिलाफ कार्यवाही यकतरफा अमल में लाई जावेगी ।

आज दिनांक 15-5-76 को मेरे हस्तक्षर व मोहर अदालत से जारी हुआ ।

एस0 आर0 भारद्वाज,
एसिस्टेंट कुलैक्टर, सैकण्ड ग्रेड ।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 23rd March, 1976

No. LLR-E(9)12/76.—The following Acts recently passed by Parliament which have already been published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Burmah Shell (Acquisition of Undertakings in India) Act, 1976 (2 of 1976).

2. The Unit Trust of India (Amendment) Act, 1976 (3 of 1976).
3. The Delhi Development (Amendment) Act, 1976 (4 of 1976).
4. The Voluntary Disclosure of Income and Wealth Act, 1976 (8 of 1976).
5. The Indian Railways (Amendment) Act, 1976 (9 of 1976).

M. C. PADAM,
Under Secretary (Judicial).

Assented to on 24-1-1976.

THE BURMAH SHELL (ACQUISITION OF UNDERTAKINGS IN INDIA) ACT, 1976

(ACT NO. 2 OF 1976)

AN

ACT

to provide for the acquisition and transfer of the right, title and interest of the Burmah Shell Oil Storage and Distributing Company of India Limited in relation to its undertakings in India with a view to ensuring co-ordinated distribution and utilisation of petroleum products distributed and marketed in India by the said company and for matters connected therewith or incidental thereto.

WHEREAS Burmah Shell Oil Storage and Distributing Company of India Limited, a foreign company, is carrying on in India the business of distributing and marketing petroleum products and has, for that purpose, established places of business at Bombay and other places in India;

AND WHEREAS it is expedient in the public interest that the undertakings in India, of Burmah Shell Oil Storage and Distributing Company of India Limited, should be acquired in order to ensure that the ownership and control of the petroleum products distributed and marketed in India by the said company are vested in the State and thereby so distributed as best to subserve the common good;

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title.*—This Act may be called the Burmah Shell (Acquisition of Undertakings in India) Act, 1976.

2. *Definitions.*—In this Act, unless the context otherwise requires.—

- (a) “appointed day” means the date of commencement of this Act;
- (b) “Burmah Shell” means the Burmah Shell Oil Storage and Distributing Company of India Limited, a foreign company within the meaning of section 591 of the Companies Act, 1956, (1 of 1956), incorporated in England in 1928 and having its registered office at Burmah House, Pipers Way, Swindon, Wiltshire, England;
- (c) “Government company” means a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956);
- (d) “notification” means a notification published in the Official Gazette;
- (e) “prescribed” means prescribed by rules made under this Act.

CHAPTER II

ACQUISITION OF THE UNDERTAKINGS IN INDIA OF BURMAH SHELL

3. *Transfer and vesting in the Central Government of*

the undertakings of Burmah Shell in India.—On the appointed day, the right, title and interest of Burmah Shell, in relation to its undertakings in India, shall stand transferred to, and shall vest in, the Central Government.

4. *General effect of vesting.*—(1) The undertakings referred to in section 3 shall be deemed, save as otherwise provided in sub-section (3), to include all assets, rights, powers, authorities and privileges and all property, movable and immovable, cash balances, reserve funds, book-debts, investments and all other rights and interests in, or arising out of, such property as were, immediately before the appointed day, in the ownership, possession, power or control of Burmah Shell, in relation to its undertakings in India, and all books of account, registers, records and all other documents of whatever nature relating thereto and shall also be deemed to include all borrowings, liabilities (including the liability for the payment of any pension and other pensionary benefits to the persons employed in relation to its undertakings in India) and obligations of whatever kind then subsisting of Burmah Shell in relation to its undertakings in India:

Provided that remittance outside India of any money for the payment of pension or other pensionary benefits shall be subject to the rules and regulations for the time being in force in relation to such remittance.

(2) The profits earned by Burmah Shell in relation to its undertakings in India from the 1st day of January, 1975, shall be payable to the Central Government.

(3) The undertakings referred to in sub-section (1) shall not include the following, namely:—

- (a) any trade mark, and any right of Burmah Shell to use any trade mark in India, as specified in the First Schedule;
- (b) all patents and designs registered in India in the name of Burmah Shell;
- (c) the item described as “Loans in United Kingdom from shareholders and/or their associated companies” in the accounts of Burmah Shell, filed pursuant to section 594 of the Companies Act, 1956 (1 of 1956), as at 31st day of December, 1974.

(4) Unless otherwise expressly provided by this Act, all deeds, bonds, agreements, powers of attorney, grants of legal representation and other instruments of whatever nature in relation to the undertakings of Burmah Shell in India, subsisting or having effect immediately before the appointed day, and to which Burmah Shell is a party or which are in favour of Burmah Shell shall be of as full force and effect against or in favour of the Central Government and may be enforced or acted upon as fully and effectually as if in the place of Burmah Shell the Central Government had been a party thereto or as if they had been issued in favour of the Central Government.

(5) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to the undertakings of Burmah Shell in India, which have been transferred to and vested in the Central Government under section 3, is pending by or against Burmah Shell, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of Burmah Shell or of anything contained in this Act, but the suit, appeal or other proceedings may be continued, prosecuted and enforced by or

against the Central Government, or, where the undertaking is directed under section 7 to vest in any Government company, by or against the Government company.

5. *Central Government to be lessee or tenant under certain circumstances.*—(1) Where any property is held in India by Burmah Shell under any lease or under any right of tenancy, the Central Government shall, on and from the appointed day, be deemed to have become the lessee or tenant, as the case may be, in respect of such property as if the lease or tenancy in relation to such property had been granted to the Central Government, and thereupon all the rights under such lease or tenancy shall be deemed to have been transferred to, and vested in, the Central Government.

(2) On the expiry of the term of any lease or tenancy referred to in sub-section (1), such lease or tenancy shall, if so desired by the Central Government, be renewed on the same terms and conditions on which the lease or tenancy was held by Burmah Shell immediately before the appointed day.

6. *Removal of doubts.*—(1) For the removal of doubts, it is hereby declared that the provisions of sections 3, 4 and 5 shall apply to the extent to which any property appertains to the business carried on by Burmah Shell in India; and to the rights and powers acquired, and to debts, liabilities and obligations incurred, and to contracts, agreements and other instruments made, by Burmah Shell in India, and to legal proceedings relating to those matters pending in any court or tribunal in India.

(2) If any question arises as to whether any property appertains, on the appointed day, to any business of Burmah Shell in India, or whether any rights, powers, debts, liabilities or obligations were acquired or incurred or any contract, agreement or other instrument was made by Burmah Shell for the purposes of its business in India, or whether any documents relate to those purposes, the question shall be referred to the Central Government which shall, after giving an opportunity of being heard to the persons interested in the matter, decide it in such manner as it may think fit.

7. *Power of Central Government to direct vesting of the undertakings of the Burmah Shell in a Government company.*—(1) Notwithstanding anything contained in sections 3, 4 and 5, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct by notification, that the right, title and interest and the liabilities of Burmah Shell in relation to any of its undertakings in India shall, instead of continuing to vest in the Central Government, vest in the Government company, either on the date of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest and the liabilities of Burmah Shell in relation to its undertakings in India vest in a Government company under sub-section (1), the Government company shall, on and from the date of such vesting, be deemed to have become the owner, tenant or lessee, as the case may be, in relation to such undertakings, and all the rights and liabilities of the Central Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(3) The provisions of sub-section (2) of section 5 shall apply to a lease or tenancy, which vests in a Government company, as they apply to a lease or tenancy vested in the Central Government, and reference therein to the "Central Government" shall be construed as a reference to the Government company.

8. *Payment of amount.*—(1) For the transfer and vesting in the Central Government, under sections 3 and 4, of the right, title and interest of Burmah Shell in relation to its undertakings in India, and for the vesting in the Central Government, under section 5, of the rights specified therein, there shall be paid by the Central Government to Burmah Shell an amount of rupees twenty-seven crores and seventy-five lakhs in such instalments and in such manner as are specified in the Second Schedule.

(2) Taxes, if any, payable in India by Burmah Shell by reason of the payment of the amount specified in sub-section (1) shall be paid by the Central Government to Burmah Shell in Indian currency, and any amount received by Burmah Shell by way of refund of taxes so paid shall be paid back by Burmah Shell to the Central Government.

(3) The amount specified in sub-section (1) shall carry interest, free of income-tax at the rate of eight per cent, per annum from the 1st day of January, 1976, till the date of payment in the manner specified in the Second Schedule.

CHAPTER III

PROVISIONS RELATING TO EMPLOYEES OF BURMAH SHELL

9. *Transfer of service of existing employees of Burmah Shell.*—(1) Every whole-time officer or other employee of Burmah Shell who was, immediately before the appointed day, employed by Burmah Shell in connection with its undertakings in India, and every whole-time officer or other employee of Burmah Shell who was, immediately before the appointed day, temporarily holding any assignment outside India, shall, on the appointed day, become an officer or other employee, as the case may be, of the Central Government or the Government company in which the right, title and interest of Burmah Shell in relation to its undertakings in India have vested under this Act and shall hold office or service under the Central Government or the Government company, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Central Government or the Government company is duly terminated or until his remuneration and conditions of service are duly altered by the Central Government or the Government company.

(2) If any question arises as to whether any person was a whole-time officer or other employee of Burmah Shell, or as to whether any officer or other employee was employed wholly or mainly in connection with the undertakings of Burmah Shell, in India immediately before the appointed day, or whether any whole-time officer or other employee of Burmah Shell was temporarily holding any assignment, outside India, the question shall be referred, within a period of two years from the appointed day and not thereafter, to the Central Government which shall, after giving an opportunity of being heard to the person concerned in the matter, decide it in such manner as it thinks fit and such decision shall be final.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), the Payment of Gratuity Act, 1972 (39 of 1972), or in any other law for the time being in force, the transfer of the services of any officer or other employee under sub-section (1) shall not entitle any such officer or other employee to any compensation or gratuity under those Acts or such other law, and no such claim shall be entertained by any court, tribunal or other authority.

10. Provident, superannuation, welfare fund, etc.—(1) Where a provident, superannuation welfare or other fund has been established by Burmah Shell, for the benefit of the persons employed by it in connection with its undertakings in India, the moneys relatable to the employees—

- (i) whose services are transferred by or under this Act to the Central Government or the Government company; or
- (ii) who are in receipt of pension or other pensionary benefits immediately before the appointed day,

shall, out of the moneys standing, on that day, to the credit of such provident, superannuation, welfare or other fund stand transferred to, and vested in, the Central Government or the Government company as the case may be free from any trust that may have been constituted by Burmah Shell in respect thereof.

(2) The moneys which stand transferred, under sub-section (1), to the Central Government or the Government company shall be dealt with by the Central Government or that company, as the case may be, in such manner as may be prescribed.

(3) The Government company in which the undertakings of Burmah Shell in India are directed to be vested shall, as soon as may be after the date of vesting, constitute, in respect of the moneys and other assets which are transferred to, and vested in, it under this section, one or more trusts having objects as similar to the objects of the existing trusts as in the circumstances may be practicable, so, however that the rights and interests of the beneficiaries of the trust referred to in sub-section (1) are not, in any way, prejudiced or diminished.

(4) Where all the moneys and other assets belonging to an existing trust are transferred to and vested in the Central Government or the Government company under this section, the trustees of such trust, shall, as from the date of such vesting, stand discharged from the trust except as respects things done or omitted to be done before the date of such vesting.

CHAPTER IV

MISCELLANEOUS

11. Effect of Act on other laws.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court, tribunal or other authority.

12. Duty to deliver possession of properties, etc.—(1) Where any property, appertaining to any undertaking of Burmah Shell in India has been transferred to, and vested in, the Central Government or the Government

company under this Act—

- (a) every person in whose possession, custody or control any such property may be, shall, on a demand by the Central Government or the Government company, as the case may be, deliver the property to the Central Government or the Government company, as the case may be, forthwith;
- (b) any person who, immediately before such vesting has in his possession, custody or control any books, documents or other papers relating to the undertakings of Burmah Shell in India, shall be liable to account for the said books, documents and papers to the Central Government or the Government company, as the case may be, and shall deliver them up to the Central Government or that company or to such person as the Central Government or that company may authorise in this behalf;

(2) Without prejudice to the other provisions contained in this section, it shall be lawful for the Central Government or the Government company to take all necessary steps for taking possession of all properties which have been transferred to, and vested in, it under this Act.

13. Contracts to continue unless terminated by Central Government.—(1) Every contract entered into by Burmah Shell for any service, sale or supply in India, and in force immediately before the appointed day, shall, unless terminated under sub-section (2) within one year from the appointed day, continue to be of full force and effect against or in favour of the Central Government or the Government company in which the undertakings of Burmah Shell in India have vested under this Act.

(2) The Central Government may, if it is satisfied that any contract referred to in sub-section (1) is unduly onerous or has been entered into in bad faith or is detrimental to the interests of that Government or the Government company, by order in writing, either terminate such contract or make such alterations or modifications therein as it may think fit:

Provided that the Central Government shall not terminate any contract or make any alteration or modification therein except after giving to the parties to the contract, a reasonable opportunity of being heard and except after recording, in writing, its reasons for such termination, alteration or modification, as the case may be.

14. Penalties.—Any person who,—

- (a) having in his possession, custody or control any property forming part of any undertaking of Burmah Shell in India wrongfully withholds such property from the Central Government or the Government company; or
- (b) wrongfully obtains possession of or retains any property forming part of any undertaking of Burmah Shell in India; or
- (c) wrongfully withholds or fails to furnish to the Central Government or the Government company or any person specified by the Central Government or that company, any books, documents or other papers relating to any undertaking of Burmah Shell in India which may be in his possession, custody or control; or

(d) fails to deliver to the Central Government or the Government company, any assets, books of account, registers or other documents in his possession, custody or control relating to any undertaking of Burmah Shell in India; or

(e) wrongfully removes or destroys any property pertaining to any undertaking of Burmah Shell in India; or

(f) wrongfully uses any property forming part of the undertakings of Burmah Shell in India,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

15. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct to the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

16. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government or the Government company or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

17. Cognizance of offences.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974), no court shall take cognizance of any offence against this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

18. Indemnity.—Every officer of the Central Government and every officer or other employee of the Government company shall be indemnified by the Central Government or the Government company, as the case may be, against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act except such as have been caused by his own wilful act or default.

19. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

20. Power to make rules.—(1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE FIRST SCHEDULE

[See section 4(3)]

TRADE MARKS WHICH BURMAH SHELL IS ENTITLED TO USE IN INDIA AND WHICH SHALL NOT VEST IN THE CENTRAL GOVERNMENT OR THE GOVERNMENT COMPANY

(a) The right of Burmah Shell to use in India the trade marks and other distinctive marks (including, but not confined to, trade names, styles of labelling and distinctive colour schemes) registered under the Trade and Merchandise Marks Act, 1958 (43 of 1958), by the Shell Company of India Limited or Shell International Petroleum Company Limited, being companies incorporated in England and having their registered office at Shell Centre, London, United Kingdom.

(b) The right of Burmah Shell to use in India any trade marks and other distinctive marks (including, but not confined to, trade names, styles of labelling and distinctive colour schemes) registered under the Trade and Merchandise Marks Act, 1958 (43 of 1958), by the Burmah Oil Company Limited, a company incorporated in Scotland and having its registered office at 48, St. Winston Street, Glasgow, Scotland, or by the Burmah Oil Trading Limited, a company incorporated in England and having its registered office at Burmah House, Pipers Way, Swindon, United Kingdom.

(c) All trade marks registered in India by Burmah Shell under The Trade and Merchandise Marks Act, 1958 (43 of 1958).

THE SECOND SCHEDULE

(See section 8)

1. The amount specified in section 8 shall be deemed to correspond to fifteen million two hundred and nine thousand seven hundred and seventy-two pounds sterling (hereafter in this Schedule referred to as the principal amount).

2. The amount referred to in the foregoing paragraph and the interest due thereon shall be remitted by the Central Government to Burmah Shell at its principal office in the United Kingdom on the dates and in instalments specified in the corresponding entries in the Table below, namely:—

THE TABLE

Date of Payment	Instalments (in Pound sterling)	
	Principal amount	Interest
(i) 30-3-1977	3,802,443	1,513,477
(ii) 30-3-1978	3,802,443	912,586
(iii) 30-3-1979	3,802,443	608,391
(iv) 30-3-1980	3,802,443	304,195

Explanation.—In this Schedule, “pound sterling” means the unit of currency in the United Kingdom.

Assented to on 24th January, 1976

THE UNIT TRUST OF INDIA (AMENDMENT)

ACT, 1976

(ACT No. 3 OF 1975)

AN

ACT

further to amend the Unit Trust of India Act, 1963.

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title.* This Act may be called the Unit Trust of India (Amendment) Act, 1976.

2. *Amendment of section 32.*—In section 32 of the Unit Trust of India Act, 1963 (52 of 1963), (hereinafter referred to as the principal Act),—

(A) in sub-section (1),—

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) in the case of an assessee who is not resident in India, being,—

(i) an individual who is an Indian or a person of Indian origin, or

(ii) a Hindu undivided family,

there shall not be included in the total income of such assessee, for the purposes of the Income-tax Act, 1961, (43 of 1961) any income received by such assessee in the previous year in respect of units acquired by such assessee from the Trust, out of funds in a Non-resident (External) Account maintained with any bank in India or by the remittance of funds in foreign exchange, in accordance, in either case, with the provisions of the Foreign Exchange Regulation Act, 1973 (46 of 1973), or any rules or orders made thereunder;”

(ii) the *Explanation* to clause (b) shall be omitted;

(iii) in clause (ba), after the words “assets in the form of units”, the brackets and words “[not being assets referred to in clause (bb)]” shall be inserted;

(iv) the *Explanation* to clause (ba) shall be omitted;

(r) after clause (ba), the following clause shall be inserted, namely:—

“(bb) in the case of an assessee who is not resident in India, being, an individual who is an Indian or a person of Indian origin, or a Hindu undivided family, wealth-tax shall not be payable by the assessee in respect of, and there shall not be included in, the net wealth of the assessee computed under the Wealth-tax Act, 1957, (27 of 1957), the value of the assets in the form of units acquired from the Trust, out of funds in a Non-resident (External) Account maintained with any bank in India or by the remittance of funds in foreign exchange, in accordance, in either case, with the provisions of the Foreign Exchange Regulation Act, 1973 (46 of 1973), or any rules or orders made thereunder;”

(vi) after clause (c), the following *Explanations* shall be inserted, namely:—

Explanation I.—In this sub-section,—

(a) in clauses (aa) and (b), the expressions “previous year” and “total income” shall have the meanings, respectively, assigned to them in the Income-tax Act, 1961 (43 of 1961);

(b) in clauses (ba) and (bb), the expressions “assessee” and “net wealth” shall have the meanings, respectively, assigned to them in the Wealth-tax Act, 1957 (27 of 1957);

Explanation II.—For the purposes of sub-sections (1) and (2),—

(a) an assessee shall be deemed to be “not resident in India” if he is a non-resident within the meaning of clause (30) of section 2 of the Income-tax Act, 1961 (43 of 1961);

(b) a person shall be deemed to be a person of Indian origin if he or either of his parents or any of his grand parents howsoever high in degree of ascent, whether on the paternal side or on the maternal side, was born in India, as defined in the Government of India Act, 1935, as originally enacted;”

(B) in sub-section (2), to clause (c), the following proviso shall be added, namely:—

“Provided that no deduction of income-tax shall be made by the Trust, where the units in respect of which income is distributed to—

(i) an individual who is an Indian or a person of Indian origin, or

(ii) a Hindu undivided family,

not resident in India, have been acquired from the Trust, out of funds in a Non-resident (External) Account maintained with any bank in India or by the remittance of funds in foreign exchange, in accordance, in either case, with the provisions of the Foreign Exchange Regulation Act, 1973 (46 of 1973), or any rules or orders made thereunder.”

3. *Repeal and saving.*—(1) The Unit Trust of India (Amendment) Ordinance, 1975 (18 of 1975), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if this Act had come into force on the 31st day of October, 1975.

Assented to on 24-1-76.

THE DELHI DEVELOPMENT (AMENDMENT) ACT, 1976

(ACT No. 4 OF 1976)

AN

ACT

further to amend the Delhi Development Act, 1957.

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Delhi Development (Amendment) Act, 1976.

2. *Amendment of section 56.*—In the Delhi Development Act, 1957 (61 of 1957) (hereinafter referred to as the principal Act), in section 56, in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

“(cc) travelling and other allowances of the members of the Advisory Council except those of the *ex-officio* member and such other members as are Government servants;”

3. *Amendment of section 57.*—In sub-section (1) of section 57 of the principal Act, for the words “The Authority may, with the previous approval of the Central Government, make regulations”, the words “The Authority, with the previous approval of the Central Government, may, by notification in the Official Gazette, make regulations” shall be substituted.

4. *Substitution of section 58.*—For section 58 of the principal Act, the following section shall be substituted, namely:—

“58. *Laying of rules and regulations before Parliament.*—Every rule and every regulation made under this Act shall be laid, as soon as may be after such rule or regulation is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.”

Assented to on 25-1-1976.

THE VOLUNTARY DISCLOSURE OF INCOME AND WEALTH ACT, 1976

(ACT No. 8 OF 1976)

AN

ACT

to provide for voluntary disclosure of income and wealth and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Voluntary Disclosure of Income and Wealth Act, 1976.

(2) It extends to the whole of India.

(3) It shall be deemed to have come into force on the 8th day of October, 1975.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) (i) “Gold (Control) Act” means the Gold (Control) Act, 1968 (45 of 1968);

(ii) “Income-tax Act” means the Income-tax Act, 1968 (43 of 1961);

(iii) “Wealth-tax Act” means the Wealth-tax Act, 1957 (27 of 1957);

(b) all other words and expressions used in this Act but not defined and defined in the Income-tax Act shall have the meanings respectively assigned to them in that Act.

3. *Charge of income-tax on voluntarily disclosed income.*—(1) Subject to the provisions of this Act, where any person makes, on or after the date of commencement of this Act but before the 1st day of January, 1976, a declaration in accordance with the provisions of section 4 in respect of any income chargeable to tax under the Indian Income-tax Act, 1922 (11 of 1922), or the Income-tax Act for any assessment year,—

(a) for which he has failed to furnish a return under section 139 of the Income-tax Act, or

(b) which he has failed to disclose in a return of income furnished by him under the Income-tax Act before the date of commencement of this Act, or

(c) which has escaped assessment by reason of the omission or failure on the part of such person to make a return under the Indian Income-tax Act, 1922 (11 of 1922), or the Income-tax Act or to disclose fully and truly all material facts necessary for his assessment or otherwise,

then, notwithstanding anything contained in the Indian Income-tax Act, 1922 (11 of 1922), or the Income-tax Act or in any Finance Act, Income-tax shall be charged in respect of the income so declared (such income being hereinafter referred to as the voluntarily disclosed income) at the rate or rates specified in the Schedule.

(2) Nothing contained in sub-section (1) shall apply in relation to—

- (i) the income assessable for any assessment year for which a notice under section 139 or section 148 of the Income-tax Act has been served upon such person and the return has not been furnished before the commencement of this Act;
- (ii) where any books of account, other documents, money, bullion, jewellery or other valuable articles or things belonging to the person making the declaration under sub-section (1) (hereafter in this section, in sections 4 to 13 and in the Schedule referred to as the declarant) have been seized as a result of any search under section 132 of the Income-tax Act or under section 37A of the Wealth-tax Act, the income in respect of the previous year in which such search was made or any earlier previous year.

(3) In addition to the amount of income-tax to be paid under sub-section (1), the declarant shall invest a sum equal to five per cent of the amount of the voluntary disclosed income in such securities as the Central Government may notify in this behalf in the Official Gazette.

4. *Particulars to be furnished in declaration.*—(1) The declaration under sub-section (1) of section 3 shall be made to the Commissioner and shall be in such form and shall be verified in such manner as may be prescribed by rules made by the Board.

(2) The declaration shall be signed—

- (a) where the declarant is an individual, by the individual himself; where such individual is absent from India, by the individual concerned or by some person duly authorised by him in this behalf; and where the individual is mentally incapacitated from attending to his affairs, by his guardian or by any other person competent to act on his behalf;
- (b) where the declarant is a Hindu undivided family, by the *karta*, and where the *karta* is absent from India or is mentally incapacitated from attending to his affairs, by any other adult member of such family;
- (c) where the declarant is a company, by the managing director thereof, or where for any unavoidable reason such managing director is not able to sign the declaration or where there is no managing director, by any director thereof;
- (d) where the declarant is a firm, by the managing partner thereof, or where for any unavoidable reason such managing partner is not able to sign the declaration, or where there is no managing partner as such, by any partner thereof, not being a minor;
- (e) where the declarant is any other association, by any member of the association or the principal officer thereof; and
- (f) where the declarant is any other person, by that person or by some person competent to act on his behalf.

(3) Any person, who has made a declaration under sub-section (1) of section 3 in respect of his income, or as a representative assessee in respect of the income of any other person, shall not be entitled to make any other

declaration under that sub-section in respect of his income or, as the case may be, the income of such other person, and any such other declaration, if made, shall be deemed to be void.

5. *Time for payment of income-tax and for investment in notified securities.*—(1) Subject to the provisions of sub-section (2), the income-tax payable under this Act in respect of the voluntarily disclosed income shall be paid by the declarant before making the declaration and the declaration shall be accompanied by proof of payment of such tax.

(2) If the Commissioner is satisfied, on an application made in this behalf by the declarant, that the declarant is unable, for good and sufficient reasons, to pay the full amount of income-tax in respect of the voluntarily disclosed income in accordance with sub-section (1), he may extend the time for payment of the amount which remains unpaid or allow payment thereof by instalments if the declarant furnishes adequate security for the payment thereof, so, however, that an amount which is not less than one-half of the amount of income-tax payable in respect of the voluntarily disclosed income shall be paid on or before the 31st day of March, 1976 and the remainder, if any, on or before the 31st day of March, 1977.

(3) The security required to be furnished by a declarant for the purposes of sub-section (2) shall be in such form and in such manner as the Commissioner may, in his discretion, direct.

(4) The investment in the securities referred to in sub-section (3) of section 3 shall be made by the declarant within thirty days from the date on which the declaration is made by him under sub-section (1) of that section.

6. *Interest payable by declarant.*—If the amount of income-tax payable in respect of the voluntarily disclosed income is not paid on or before the 31st day of March, 1976, the declarant shall be liable to pay simple interest at twelve per cent per annum on the amount remaining unpaid from the 1st day of April, 1976 to the date of payment and the provisions of the Income-tax Act and the rules made thereunder shall, so far as may be, apply as if the interest payable under this section were interest payable under sub-section (2) of section 220 of that Act.

7. *Mode of recovery.*—(1) If the declarant fails to pay the income-tax in respect of the voluntarily disclosed income within the time allowed under sub-section (2) of section 5 or to invest the amount required to be invested in the securities referred to in sub-section (3) of section 3 within the time specified in sub-section (4) of section 5, the declarant shall be deemed to be in default.

(2) The provisions contained in section 221 to 227, 229, 231 and 232 of the Income-tax Act and the Second and Third Schedules to that Act and any rules made thereunder shall, so far as may be, apply as if the said provisions were provisions of this Act and referred to income-tax and sums payable by way of penalty and interest under this Act instead of to tax and sums by way of penalty and interest payable under that Act and to the declarant instead of to the assessee.

(3) Any arrears in respect of the amount required to be invested by the declarant in the securities referred to in sub-section (3) of section 3 shall be recoverable in accordance with the provisions of sub-section (2) as if such

arrears were arrears of income-tax and the amount so recovered shall be utilised for the purchase of such securities in the name of the declarant.

8. Voluntarily disclosed income not to be included in the total income.—(1) The amount of the voluntarily disclosed income shall not be included in the total income of the declarant for any assessment year under the Indian Income-tax Act, 1922 (11 of 1922), or the Income-tax Act, or the Excess Profits Tax Act, 1940 (15 of 1940) or the Business Profits Tax Act, 1947 (21 of 1947) or the Super Profits Tax Act, 1963 (14 of 1963) or the Companies (Profits) Surtax Act, 1964 (7 of 1964), if the following conditions are fulfilled, namely:—

- (i) the declarant credits such amount in the books of account, if any, maintained by him for any source of income or in any other record, and intimates the credit so made to the Income-tax Officer;
- (ii) the income-tax in respect of the voluntarily disclosed income is paid by the declarant; and
- (iii) the amount required to be invested in the securities referred to in sub-section (3) of section 3 is so invested by the declarant.

(2) The Commissioner shall, on an application made by the declarant, grant a certificate to him setting forth the particulars of the voluntarily disclosed income, the amount of income-tax paid in respect of the same, the amount of investment made in the securities referred to in sub-section (3) of section 3 and the date of payment and investment.

9. Voluntarily disclosed income not to affect finality of completed assessments etc.—The declarant shall not be entitled, in respect of the voluntarily disclosed income or any amount of income-tax paid thereon, to reopen any assessment or reassessment made under any of the Acts mentioned in sub-section (1) of section 8 or claim any set off or relief in any appeal, reference or other proceeding in relation to any such assessment or reassessment.

10. Income-tax in respect of voluntarily disclosed income not refundable.—Any amount of income-tax paid in pursuance of a declaration made under sub-section (1) of section 3 shall not be refundable under any circumstances.

11. Declaration not admissible in evidence against declarant.—Notwithstanding anything contained in any other law for the time being in force, nothing contained in any declaration made under sub-section (1) of section 3 shall be admissible in evidence against the declarant for the purpose of any proceeding relating to imposition of penalty or for the purposes of prosecution under any of the Acts mentioned in sub-section (1) of section 8 or the Wealth-tax Act.

12. Secrecy of declaration.—(1) All particulars contained in a declaration made under sub-section (1) of section 3 shall be treated as confidential and, notwithstanding anything contained in any law for the time being in force, no court or any other authority shall be entitled to require any public servant or the declarant to produce before it any such declaration or any part thereof or to give any evidence before it in respect thereof.

(2) No public servant shall disclose any particulars contained in any such declaration except to any officer employed in the execution of any of the Acts mentioned in sub-section (1) of section 8, or the Wealth-tax Act, or

to any officer appointed by the Comptroller and Auditor-General of India or the Board to audit income-tax receipts or refunds.

(3) The provisions of sub-sections (1) and (2) shall apply in relation to all documents and particulars relating to the investment in the securities referred to in sub-section (3) of section 3 (including the payment of interest on such securities) as they apply in relation to the declaration made under sub-section (1) of that section and the particulars contained therein.

13. Exemption from wealth-tax in respect of assets specified in declaration.—(1) Where the voluntarily disclosed income is represented by cash (including bank deposits), bullion, investment in shares, debts due from other persons, commodities or any other assets specified in the declaration made under sub-section (1) of section 3—

- (a) in respect of which the declarant has failed to furnish a return under section 14 of the Wealth-tax Act for the assessment year commencing on the 1st day of April, 1975, or any earlier assessment year or years, or
- (b) which have not been shown in the return of net wealth furnished by him for the said assessment year or years, or
- (c) which have been understated in value in the return of net wealth furnished by him for the said assessment year or years,

then, notwithstanding anything contained in the Wealth-tax Act or any rules made thereunder,—

- (i) wealth-tax shall not be payable by the declarant in respect of the assets referred to in clause (a) or clause (b) and such assets shall not be included in his net wealth for the said assessment year or years;
- (ii) the amount by which the value of the assets referred to in clause (c) has been understated in the return of net wealth for the said assessment year or years, to the extent such amount does not exceed the voluntarily disclosed income utilised for acquiring such assets, shall not be taken into account in computing the net wealth of the declarant for the said assessment year or years.

Explanation.—Where a declaration under sub-section (1) of section 3 is made by a firm, the assets referred to in clause (i) or, as the case may be, the amount referred to in clause (ii) shall not be taken into account in computing the net wealth of any partner of the firm or, as the case may be, in determining the value of the interest of any partner in the firm.

(2) The provisions of sub-section (1) shall not apply unless the conditions specified in sub-section (1) of section 8 are fulfilled by the declarant.

(3) All words and expressions used in this section and in section 15 but not defined and defined in the Wealth-tax Act shall have the meanings respectively assigned to them in that Act.

14. Disclosure of income in cases of search and seizure.—(1) Subject to the provisions of this section, where any books of account, other documents, money, bullion, jewellery or other valuable articles or things belonging to a person have been seized as a result of a search under

section 132 of the Income-tax Act or section 37A of the Wealth-tax Act and such person (hereafter in this section referred to as the declarant) makes, on or after the date of commencement of this Act but before the 1st day of January, 1976, a declaration in accordance with sub-section (2) in respect of any income relating to the previous year in which such search was made or any earlier previous year—

- (a) for which he has failed to furnish a return under section 139 of the Income-tax Act, or
- (b) which he has failed to disclose in a return of income furnished by him under the Income-tax Act before the commencement of this Act, or
- (c) which has escaped assessment by reason of the omission or failure on the part of such person to make a return under the Indian Income-tax Act, 1922 (11 of 1922), or the Income-tax Act, or to disclose fully and truly all material facts necessary for his assessment or otherwise.

then, notwithstanding anything contained in any of the Acts mentioned in sub-section (1) of section 8 or the Wealth-tax Act, the amount of income so declared or, as the case may be, the value of the assets representing such income, shall not be taken into account for the purposes of—

- (i) payment of interest by the declarant under sub-section (8) of section 139 of the Income tax Act;
- (ii) payment of interest by the declarant under section 215 or section 217 of the Income-tax Act or the corresponding provisions of the Indian Income-tax Act, 1922 (11 of 1922);
- (iii) imposition of penalty on the declarant under the provisions of any of the said Acts, except under section 221 of the Income-tax Act or the corresponding provisions of any of the other said Acts; and
- (iv) prosecution of the declarant under the provisions of any of the said Acts.

(2) The declaration under sub-section (1) shall be made to the Commissioner and shall be in such form and shall be verified in such manner as may be prescribed by rules made by the Board.

(3) A declaration under this section shall be signed by the person specified in sub-section (2) of section 4 as if the declaration had been made under that section.

(4) A copy of the declaration made by the declarant under sub-section (1) shall be forwarded by the Commissioner to the Income-tax Officer and the information contained therein may be taken into account for the purposes of the proceedings relating to assessment or reassessment of the income of the declarant under the provisions of any of the Acts mentioned in sub-section (1) of section 8 or the Wealth-tax Act.

(5) The immunity provided under sub-section (1) shall not be available to the declarant unless the tax chargeable in respect of the income of the previous year or years for which the declaration has been made is paid by the declarant in accordance with the provisions of section 5.

Explanation.—For the purposes of this sub-section, tax chargeable in respect of the income of any previous year for which the declaration is made shall be,—

- (a) where the declarant has not furnished a return in respect of the total income of that year and no

assessment has been made in respect of the total income of that year, the tax payable on the income declared under sub-section (1) for that year as if such income were the total income;

- (b) where the declarant has furnished a return in respect of the total income of that year and no assessment has been made in pursuance of such return, the tax payable on the aggregate of the total income returned and the income declared under sub-section (1) for that year as if such aggregate were the total income, as reduced by the tax payable on the basis of the total income returned; and

- (c) where an assessment in respect of the total income of that year has been made, the tax payable on the aggregate of the total income as assessed and the income declared under sub-section (1) for that year as if such aggregate were the total income, as reduced by the tax payable on the basis of the total income as assessed.

(6) Where any tax is paid by the declarant in accordance with the provisions of section 5, read with sub-section (5) of this section, credit therefor shall be given to the declarant in the assessment made under the Indian Income-tax Act, 1922 (11 of 1922), or, as the case may be, the Income-tax Act, in respect of his total income of the previous year or years.

(7) Nothing in sub-section (1) shall apply in relation to any income which has been included in the total income of the declarant in any assessment made by the Income-tax Officer before the date on which the declaration under that sub-section is made.

15. Voluntary disclosure of wealth.—(1) Subject to the provisions of this section, where any person makes, on or after the date of commencement of this Act but before the 1st day of January, 1976, a declaration in respect of—

- (a) the net wealth chargeable to wealth-tax for any assessment year for which he has failed to furnish a return under section 14 of the Wealth-tax Act; or
- (b) the value of the assets which has not been disclosed, or the value of the assets which has been understated, in any return of net wealth for any assessment year,

then, notwithstanding anything contained in that Act, the net wealth, or, as the case may be, the value so declared shall not be taken into account for the purposes of any proceedings relating to imposition of penalty on the person making the declaration under this sub-section (hereafter in this section referred to as the declarant) or for the purposes of the prosecution of the declarant under that Act:

Provided that—

- (i) nothing contained in clause (a) shall apply in relation to the net wealth assessable for any assessment year for which a notice under section 14 or section 17 of that Act has been served upon the declarant before the commencement of this Act;
- (ii) nothing contained in clause (b) shall apply in relation to so much of the value of such assets as has been assessed in any assessment for the relevant assessment year made by the Wealth-tax Officer before the date on which the declaration under this sub-section is made.

(2) The declaration under sub-section (1) shall be made to the Commissioner and shall be in such form and shall be verified in such manner as may be prescribed by rules made by the Board.

(3) A declaration under sub-section (1) shall be signed by the person specified in sub-section (2) of section 4 as if the declaration had been made under that section.

(4) A copy of the declaration made by the declarant under sub-section (1) shall be forwarded by the Commissioner to the Wealth-tax Officer and the information contained therein may be taken into account for the purposes of the proceedings relating to assessment or reassessment of the net wealth of the declarant under the provisions of the Wealth-tax Act.

(5) The immunity provided under sub-section (1) shall not be available to the declarant unless the wealth-tax, chargeable in respect of the net wealth for the assessment year or years for which the declaration has been made is paid by the declarant in accordance with the provisions of section 5 and the declarant invests in the securities referred to in sub-section (3) of section 3 within the time specified in sub-section (4) of section 5 the sum specified in sub-section (6) of this section.

Explanation.—For the purposes of this sub-section, wealth-tax chargeable in respect of the net wealth for any assessment year for which the declaration is made shall be—

(a) in a case falling under clause (a) of sub-section (1), the wealth-tax payable in respect of the net wealth declared under that clause for that year;

(b) in a case falling under clause (b) of sub-section (1),—

(i) where no assessment has been made in pursuance of the return of net wealth furnished by the declarant, the wealth-tax payable on the aggregate of the net wealth returned and the value declared under that clause for that year as if such aggregate were the net wealth, as reduced by the wealth-tax payable on the basis of the net wealth returned;

(ii) where an assessment has been made in pursuance of the return of net wealth furnished by the declarant, the wealth-tax payable on the aggregate of the net wealth as assessed and the value declared under that clause for that year as if such aggregate were the net wealth, as reduced by the wealth-tax payable on the net wealth as assessed.

(6) The sum referred to in sub-section (5) shall be,—

(a) where the declaration has been made in respect of one assessment year, a sum equal to two and a half per cent of the amount of net wealth declared under clause (a) of sub-section (1), or, as the case may be, the value declared under clause (b) of that sub-section;

(b) where the declaration has been made in respect of more than one assessment year, a sum equal to two and a half per cent of the net wealth declared under clause (a) of sub-section (1), or, as the case may be, the value declared under clause (b) of that sub-section, in respect of the last of such assessment years.

7) Where any wealth-tax is paid by the declarant for

any assessment year in accordance with the provisions of section 5, read with sub-section (5) of this section, credit therefor shall be given to the declarant in the assessment made under the Wealth-tax Act for that year.

16. Immunity from penalty, prosecution, etc. under certain Acts.—(1) Where—

(a) the voluntarily disclosed income declared under sub-section (1) of section 3 or any part thereof, or

(b) the net wealth, or the assets the value whereof is, declared under sub-section (1) of section 15 or any part of such net wealth or assets,

is or are represented by gold, then, notwithstanding anything contained in the Customs Act, 1962 (52 of 1962) or the Gold (Control) Act, such gold shall not be liable to confiscation under either of the said Acts and the person making the declaration shall not be liable to imposition of any penalty or infliction of any punishment under either of the said Acts for any act or omission in relation to such gold, if he fulfils the following conditions, namely:—

(A) in a case where the gold is owned, possessed, held or controlled by the person making the declaration (such gold being owned, possessed, held or controlled by him in his capacity as a licensed dealer), necessary entries are made by him in the accounts, registers and documents maintained under the Gold (Control) Act, under intimation to the Gold Control Officer of the rank of an Assistant Collector of Central Excise or of Customs before the 1st day of February, 1976 and such other steps as are necessary for him to comply with the requirements of that Act in relation to such gold are taken by him before that date;

(B) in any other case,—

(i) where the gold is an article or ornament or both and the weight of such article or ornament, or the aggregate weight of both, together with the weight of any other gold (being an article or ornament) owned, possessed, held or controlled by him, exceeds the limits specified in sub-section (5) of section 16 of the Gold (Control) Act, such article or ornament or both, as the case may be, is or are declared in the form prescribed under sub-section (1), and in the manner specified in sub-section (8), of that section before the 1st day of February, 1976;

(ii) where the gold is primary gold, such gold is either sold to any licensed dealer under intimation to the Gold Control Officer of the rank of an Assistant Collector of Central Excise or of Customs before the 1st day of February, 1976 or is made into ornaments and a declaration in this behalf is made in the form prescribed under sub-section (1), and in the manner specified in sub-section (8), of section 16 of the Gold (Control) Act, before that date.

(2) Notwithstanding anything contained in the Gold (Control) Act, any primary gold referred to in sub-clause (ii) of clause (B) of sub-section (1) may be sold by the person making the declaration to any licensed dealer

and such licensed dealer may purchase such gold, provided that the total quantity of primary gold (not being in the form of standard gold bars) in the possession or custody of such dealer and the quantity of primary gold (not being in the form of standard gold bars) to be so purchased does not exceed the limit specified in clause (a) or clause (b) or clause (c) or, as the case may be, clause (d) of the proviso to sub-section (1) of section 32 of that Act.

(3) Where a declaration is made under sub-clause (i) or sub-clause (ii) of clause (B) of sub-section (1), the provisions of section 16 of the Gold (Control) Act, shall, so far as may be, apply as if such declaration were a declaration made under that section.

(4) The immunity provided under sub-section (1) shall, in a case where the person making the declaration is a firm also extend to the partners of the firm.

(5) Nothing in this section shall apply in relation to, any gold,—

- (a) which has been seized or confiscated under the Customs Act, 1962 (52 of 1962), or the Gold (Control) Act, before the declaration under sub-section (1) of section 3 or, as the case may be, under sub-section (1) of section 15, is made; or
- (b) which is seized as a result of any search made under either of the said Acts where such search had commenced before such declaration is made; or
- (c) in respect of which any other proceedings under either of the said Acts are pending before any authority before such declaration is made.

(6) For the removal of doubts, it is hereby declared that nothing in this section shall be construed as exempting any person from discharging any obligation under the Gold (Control) Act, on or after the 1st day of February, 1976 in relation to the gold referred to in this section.

Explanation.—For the purposes of this section, the expressions “article”, “gold”, “Gold Control Officer”, “licensed dealer”, “ornament”, “primary gold” and “standard gold bar” shall have the meanings respectively assigned to them in the Gold (Control) Act.

17. Applicability of certain provisions of Income-tax Act and of Chapter V of Wealth tax Act.—The provisions of Chapter XV of the Income-tax Act relating to liability in special cases and of section 189 of that Act or of Chapter V of the Wealth-tax Act relating to liability to assessment in special cases shall, so far as may be, apply in relation to proceedings under this Act as they apply in relation to proceedings under the Income-tax Act or, as the case may be, the Wealth-tax Act.

18. Removal of doubts.—For the removal of doubts, it is hereby declared that, save as otherwise expressly provided in the *Explanation* to sub-section (1) of section 13 and in sub-section (4) of section 16, nothing contained in this Act shall be construed as conferring any benefit, concession or immunity on any person other than the person making the declaration under this Act.

19. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty.

(2) Every order made under this section shall, as soon

as may be after it is made, be laid before each House of Parliament.

20. Power to make rules.—(1) The Board may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for,—

- (a) the form in which a declaration may be made under sub-section (1) of section 3 and the manner in which it may be verified;
- (b) the form in which a declaration may be made under sub-section (1) of section 14 and the manner in which it may be verified;
- (c) the form in which a declaration may be made under sub-section (1) of section 15 and the manner in which it may be verified.

(3) The Central Government shall cause every rule made under this Act to be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

21. Provisions of Act not to apply to certain persons.—The provisions of this Act shall not apply to any person in respect of whom an order of detention has been made under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974).

Provided that—

- (i) such order of detention, being an order to which the provisions of section 9 or section 12A of the said Act do not apply, has not been revoked on the report of the Advisory Board under section 8 of the said Act or before the receipt of the report of the Advisory Board; or
- (ii) such order of detention, being an order to which the provisions of section 9 of the said Act apply, has not been revoked before the expiry of the time for, or on the basis of, the review under sub-section (3) of section 9, or on the report of the Advisory Board under section 8 read with sub-section (2) of section 9 of the said Act; or
- (iii) such order of detention, being an order to which the provisions of section 12A of the said Act apply, has not been revoked before the expiry of the time for, or on the basis of, the first review under sub-section (3) of that section, or on the basis of the report of the Advisory Board under section 8, read with sub-section (6) of section 12A, of the said Act; or
- (iv) such order of detention has not been set aside by a court of competent jurisdiction.

22. Repeal and saving.—(1) The Voluntary Disclosure of Income and Wealth Ordinance, 1975 (15 of 1975) and the Voluntary Disclosure of Income and Wealth (Amendment) Ordinance, 1975 (23 of 1975) are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Voluntary Disclosure of Income and Wealth Ordinance, 1975 (15 of 1975) as amended by the Voluntary Disclosure of Income and Wealth (Amendment) Ordinance, 1975 (23 of 1975), shall be deemed to have been done or taken under the corresponding provision of this Act.

(3) Where during the period commencing on the 8th October, 1975 and ending with the 28th November, 1975 any person had furnished security in accordance with sub-section (3) of section 5 of the Voluntary Disclosure of Income and Wealth Ordinance, 1975 (15 of 1975), as it stood immediately before its amendment by the Voluntary Disclosure of Income and Wealth (Amendment) Ordinance, 1975 (23 of 1975), such person shall be deemed to have furnished adequate security for the purposes of sub-section (2) of section 5 of this Act.

THE SCHEDULE

[See section 3(1)]

Rates of income-tax

(a) In the case of a declarant, being a company, at the rate of 60 per cent of the voluntarily disclosed income.

(b) In the case of a declarant, being a person other than a company,—

- | | |
|--|---|
| (1) where the voluntarily disclosed income does not exceed Rs. 25,000 | 25 per cent of the voluntarily disclosed income; |
| (2) where the voluntarily disclosed income exceeds Rs. 25,000 but does not exceed Rs. 50,000 | Rs. 6,250 plus 40 per cent of the amount by which the voluntarily disclosed income exceeds Rs. 25,000; |
| (3) where the voluntarily disclosed income exceeds Rs. 50,000 | Rs. 16,250 plus 60 per cent of the amount by which the voluntarily disclosed income exceeds Rs. 50,000. |

Assented to on 25-1-1976

THE INDIAN RAILWAYS (AMENDMENT) ACT, 1976

ACT No. 9 OF 1976

AN

ACT

further to amended the Indian Railways Act, 1890.

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Indian Railways (Amendment) Act, 1976.

(2) It shall be deemed to have into force on the 25th day of September, 1975.

2. *Amendment of Act 9 of 1890.*—In the Indian Railways Act, 1890, after section 56A, the following sections shall be inserted, namely:—

‘56B. *Special provisions as to goods booked to notified*

stations.—(1) In this section and in sections 56C and 56D, unless the context otherwise requires,—

- “essential commodity” means essential commodity as defined in clause (a) of section 2 of the Essential Commodities Act, 1955 (10 of 1955);
- “State Government”, in relation to a notified station, means the Government of the State in which such station is situated or where such station is situated in a Union territory, the Administrator of that Union territory appointed under article 239 of the Constitution;
- “notified station” means a station declared to be a notified station under sub-section (2);
- “prescribed” means prescribed by rules made by the Central Government under section 56E;
- “termination of transit” means termination of transit determined in accordance with the provisions of clause (a) of sub-section (5) of section 77.

(2) The Central Government may, if satisfied that it is necessary that goods booked by trains intended solely for the carriage of goods to any railway station should be removed without delay from such railway station, declare, by notification in the Official Gazette, such railway station to be a notified station for such period as may be specified in the notification:

Provided that before declaring any railway station to be a notified station under this sub-section the Central Government shall have regard to all or any of the following factors, namely:—

- the volume of traffic and the storage space available at such railway station;
- the nature and quantities of goods generally booked to such railway station;
- the scope for causing scarcity of such goods by not removing them for long periods from such railway station and the hardship which such scarcity may cause to the community;
- the number of wagons likely to be held up at such railway station if goods are not removed therefrom quickly and the need for quick movement and availability of such wagons;
- such other factors (being factors relevant from the point of view of the interest of the general public) as may be prescribed;

Provided further that the period specified in any notification issued under this sub-section in respect of any railway station shall not exceed six months in the first instance but such period may, by a like notification, be extended from time to time by a period not exceeding six months on each occasion.

(3) If any person delivering to a railway administration any goods to be carried to a notified station makes an application in such form and manner as may be prescribed and specifies therein the address of the person to whom intimation of the arrival of the goods at the notified station shall be given and pays the postage fee required for giving such intimation, the railway administration shall, as soon as may be after the arrival of the goods at the notified station, send such intimation by registered post.

(4) There shall be exhibited at a conspicuous place in each notified station a statement in the prescribed form setting out the description of the goods which by reason of the fact that they have not been removed from the station within a period of seven days from the termination of transit thereof are liable to be sold, in accordance with the provisions of sub-section (1) of section 56C, by public auction and the dates on which they would be so sold:

Provided that different statements may be so exhibited in respect of goods proposed to be sold on different dates.

(5) If the goods specified in any statement prepared under sub-section (4) include essential commodities, the officer preparing the statement shall, as soon as may be after the preparation of such statement, forward a copy thereof to—

- (a) the representative of the Central Government, nominated by that Government in this behalf;
- (b) the representative of the State Government, nominated by that Government in this behalf; and
- (c) the district magistrate within the local limits of whose jurisdiction the railway station is situated.

56C. *Disposal of un-removed goods at notified stations.*—(1) If any goods booked for carriage by railway to any notified station by a train intended solely for the carriage of goods are not removed from such station by a person entitled to do so within a period of seven days after the termination of transit thereof at such station, the railway administration may, subject to the provisions of sub-section (2), sell such goods by public auction and apart from exhibiting in accordance with the provisions of sub-section (4) of section 56B a statement containing a description of such goods, it shall not be necessary to give any notice of such public auction, but the dates on which such auction may be held under this sub-section may be notified in one or more local newspapers, or where there are no such newspapers, in such manner as may be prescribed:

Provided that if at any time before the sale of such goods under this sub-section the person entitled thereto pays the rates or charges and the expenses due in respect thereof to the railway administration, he shall be allowed to remove such goods.

(2) If any essential commodities which may be sold by public auction under sub-section (1) at a notified station are required by the Central Government or the State Government for its own use or if the Central Government or such State Government considers that it is necessary for securing the availability of all or any such essential commodities at fair prices so to do, it may, by order in writing, direct the officer in charge of such auction to transfer such goods to it or to such agency, co-operative society or other person (being an agency, co-operative society or other person subject to the control of the Government) engaged in the business of selling such essential commodities as may be specified in the direction.

(3) Every direction issued under sub-section (2) in respect of any essential commodity shall be binding on the officer to whom it is issued and the railway administration and it shall be a sufficient defence against any claim by the person entitled to the delivery thereof that

such essential commodities have been transferred in compliance with such direction:

Provided that—

(a) such direction shall not be binding on such person or the railway administration—

- (i) if it has not been received by such officer sufficiently in time to enable him to prevent the sale of the essential commodities to which it relates; or
- (ii) if before the time appointed for such sale the person entitled to such goods pays the rates or charges and the expenses due in respect thereof and claims that he be allowed to remove the goods; or
- (iii) if the price payable for such goods (as estimated by the Central Government or, as the case may be, the State Government) has not been credited to the railway administration in the prescribed manner and the railway administration is not indemnified against any additional amount which it may become liable to pay towards price by reason of the price not having been computed in accordance with the provisions of sub-section (4);

(b) where directions are issued in respect of the same goods both by the Central Government and the State Government, the directions received earlier shall prevail.

(4) The price payable for any essential commodity transferred in compliance with a direction issued under sub-section (2) shall be the price calculated in accordance with the provisions of sub-section (3) of section 3 of the Essential Commodities Act, 1955 (10 of 1955):

Provided that—

(a) in the case of any essential commodity being a foodstuff in respect whereof a notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), is in force in the locality in which the notified station is situated, the price payable shall be calculated in accordance with the provisions of clauses (iii) and (iv) of that sub-section;

(b) in the case of an essential commodity being any grade or variety of foodgrains, edible oil seeds or edible oils in respect whereof no notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), is in force in the locality in which the notified station is situated, the price payable shall be calculated in accordance with the provisions of sub-section (3B) of that section:

(c) in the case of an essential commodity being any kind of sugar in respect whereof no notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), is in force in the locality in which the notified station is situated, the price payable shall, if such sugar has been booked by the producer to himself, be calculated in accordance with the provisions of sub-section (3C) of that section.

Explanation.—For the purposes of this clause, the expressions “producer” and “sugar” shall have the meanings assigned to those expressions in the *Explanation* to sub-section (3C) of section 3, and clause (e) of section 2, of the Essential Commodities Act, 1955 (10 of 1955), respectively.

56D. Price to be paid to person entitled after deducting dues.—(1) Out of the proceeds of any sale of goods under sub-section (1) of section 56C or the price payable therefor under sub-section (4) of that section, the railway administration may retain a sum equal to the rates or charges due in respect of the goods and the expenses incurred in respect of the goods and the auction thereof and render the surplus, if any, to the person entitled thereto.

(2) Notwithstanding anything contained in sub-section (1), the railway administration may recover by suit any such rate or charge or expenses referred to therein or balance thereof.

(3) Any goods sold under sub-section (1) of section 56C or transferred in compliance with directions issued under sub-section (2) of that section shall vest in the buyer or the transferee free from all encumbrances but subject to a priority being given for the sum which may be retained by a railway administration under sub-section (1), the person in whose favour such encumbrance subsists may have a claim in respect of such encumbrance against the surplus, if any, referred to in that sub-section.

56E. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of sections 56B, 56C and 56D.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the factors to which the Central Government shall have regard under clause (e) of the first proviso to sub-section (2) of section 56B;
- (b) the form and manner in which an application may be made under sub-section (3) of section 56B;
- (c) the form in which a statement required to be exhibited under sub-section (4) of section 56B shall be prepared;
- (d) the manner in which the dates of public auctions may be notified under sub-section (1) of section 56C; and
- (e) the manner of crediting to the Railway administration the price of goods referred to in sub-clause (iii) of clause (a) of the proviso to sub-section (3) of section 56C.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

3. Repeal and saving.—(1) The Indian Railways (Amendment) Ordinance, 1975 (10 of 1975), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Indian Railways Act, 1890 (9 of 1890), as amended by the said Ordinance, shall be deemed to have been done or taken under that Act as amended by this Act.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

NIRVACHAN VIBHAG

NOTIFICATION

Simla-171002, the 24th May, 1976

No. 5-21/75-Elec.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the Post of Electoral Officer (Class-II Gazetted) as contained in the Annexure to this notification.

2. These rules shall come into force with immediate effect.

ANNEXURE I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ELECTORAL OFFICER (CLASS-II GAZETTED) IN THE DEPARTMENT OF ELECTION, HIMACHAL PRADESH GOVERNMENT

1. Name of the post Electoral Officer.
2. No. of posts One.

3. Classification Class-II (Gazetted).
4. Scale of pay Rs. 350-25-500-30-590/
30-830/35-900.
5. Whether selection post or non-selection post. Selection.
6. Age for direct recruits Not applicable.
7. Minimum education and other qualifications required for direct recruits. Not applicable.
8. Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees. Not applicable.
9. Period of probation, if any 2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special

	circumstances and for reasons to be reduced to writing.	of the eligible Tehsildars (Elections) and Superintendent (Elections) will be prepared on the basis of length of service in the respective grade).
10. Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled by various methods.	By promotion.	
11. In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made.	By promotion from amongst Tehsildar (Elections) and Superintendent (Elections) having at least three years service which includes regular or <i>ad hoc</i> service or both as such. (For purposes of promotion, a combined seniority	D. P. C. to be presided over by the Chairman of the H. P., P. S. C. or a Member thereof to be nominated by him. As required under the law.
	12. If a D. P. C. exists, what is its composition.	
	13. Circumstances in which HPPSC is to be consulted in making recruitment.	

P. P. SRIVASTAVA,
Sgchiv.

अनुपूरक
शून्य